



Investing in our future

The Global Fund

To Fight AIDS, Tuberculosis and Malaria

Nineteenth Board Meeting
Geneva 5 - 6 May 2009

Appointment of Rapporteur

Decision Point GF/B19/DP1:

H.E. Dr Leslie Ramsammy from the Latin America and Caribbean constituency is designated as Rapporteur for the Nineteenth Board Meeting.

This decision does not have material budgetary implications.

Signed: 5 May 2009

Leslie Ramsammy
Rapporteur

Birgit Poniatowski
Secretariat



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Geneva 5 - 6 May 2009

Approval of Agenda

Decision Point GF/B19DP2:

The agenda for the Nineteenth Board Meeting (GF/B19/1, Revision 3) is approved.

This decision does not have material budgetary implications.

Signed: 5 May 2009

Leslie Ramsammy
Rapporteur

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Nineteenth Board Meeting
Geneva 5 - 6 May 2009

Approval of Report of the Eighteenth Board Meeting

Decision Point GF/B19/DP3:

The report of the Eighteenth Board Meeting (GF/B19/2, Revision 2) is approved.

This decision does not have material budgetary implications.

Signed: 5 May 2009

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Relationship Between the Global Fund and the United Nations (UN)

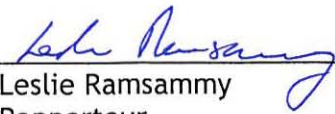
Decision Point GF/B19/DP4:

The Board reiterates its endorsement of the Global Fund's initiative to obtain a decision of the UN General Assembly granting Observer Status to the Global Fund at the UN General Assembly (Decision Point GF/B18/DP15).

The Board notes that the Global Fund would be represented by the Executive Director at the UN General Assembly.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Memorandum of Understanding between the Global Fund and the Organization of Islamic Conference


Decision Point GF/B19/DP5:

The Board notes the Secretariat's continued focus on strengthening 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 memorandum of understanding with the Organization of Islamic Conference (the "OIC MoU") set out in Attachment 2 of the Policy and Strategy Committee's Report to the Board (GF/B19/4), and requests the Executive Director to finalize and sign the OIC MoU.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Extension of Terms of TERG Members

Decision Point GF/B19/DP6:

The Board notes that the terms of six TERG members were due to expire at the conclusion of the Five-Year Evaluation, in May 2009. The Board decides to extend the terms of these six members of the TERG until the conclusion of the Twentieth Board Meeting. The Board thanks the TERG members for their contribution to the Global Fund and for their willingness to continue their work for this additional period.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Global Fund Strategy in Relation to Sexual Orientation and Gender Identities

Decision Point GF/B19/DP7:

The Board approves "The Global Fund Strategy in Relation to Sexual Orientation and Gender Identities (SOGI)" (GF/B19/4 - Attachment 3) and requests the Secretariat to report on progress of implementation of the strategy to the Policy and Strategy Committee at its next meeting.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Review of Board Committee Structure

Decision Point GF/B19/DP8:

The Board adopts the model for restructuring the Board committees set out in the Report of the Policy and Strategy Committee (GF/B19/4) - the "PSC Report".

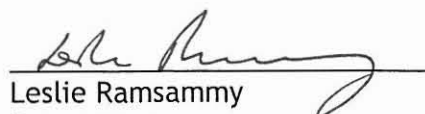
Accordingly, the Board decides:


1. to create an ad hoc committee of the Board for market dynamics, procurement, and commodities matters (the "Market Dynamics and Commodities Committee" or "MDC") with the terms of reference set out in document GF/B19/4 - Attachment 4 for the period up to the first Board meeting in 2011, when the Board will consider whether to continue the MDC's mandate. Membership in the MDC shall not count towards the two-committee limit set forth in Section 23 of the Board Operating Procedures. This committee will temporarily remove the Portfolio Committee's responsibilities in this area;
2. to continue the mandate of the AMFm Ad Hoc Committee for the AMFm Phase 1 Period;
3. to rename the Portfolio Committee the "Portfolio and Implementation Committee" (PIC); and
4. to approve the amendments to the Committee Rules and Procedures set out in document GF/B19/4 - Attachment 5.

The Board requests the Board Chair and Vice Chair to review prior Board decisions with a view to clarifying and, if necessary, re-assigning responsibilities among the Committees in line with this decision.

The budgetary implications of this decision are estimated at approximately US\$ 940,000 for a whole year and US\$ 470,000 in 2009. The Secretariat will endeavor to absorb the incremental costs in 2009 by making commensurate savings within the approved budget.

Signed: 5 May 2009


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Executive Director as Non-Voting Board Member

Decision Point GF/B19/DP9:

The Board decides that the Executive Director shall be an ex-officio non voting member of the Board, with immediate effect, and approves the following Amendments to Articles 7.1 and 7.2 of the Bylaws and Part A, Section 1 of the Board Operating Procedures:

Bylaws: Articles 7.1 and 7.2

7.1 Composition

The Foundation Board shall consist of twenty voting members and ~~four~~ five nonvoting members. Each voting member shall have one vote. [...] The ~~four~~ five ex-officio nonvoting members of the Foundation Board shall consist of:

- One representative from WHO;
- One representative from the Joint United Nations Programme on HIV/AIDS ("UNAIDS");
- One representative from the trustee; ~~and~~
- One Swiss Citizen with his or her domicile in Switzerland authorized to act of behalf of the Foundation to the extent required by Swiss law; and
- The Executive Director of the Foundation.

7.2 Appointment of Foundation Board Members

[...] Board Members shall be deemed to act in their capacity as representatives of their respective Governments, organizations, constituencies or other entities. The Executive Director shall act in his or her capacity as chief executive officer of the Foundation and will serve on the Foundation Board for the duration of his or her term. [...]

Board Operating Procedures: Part A, Section 1

Board Members

[...] Board Members serve as the representative of the particular county, organization or other entity, or other constituency holding the Board seat. The Executive Director shall hold an ex-officio seat on the Board as Chief Executive Officer of the Foundation for the duration of his or her term. Except as provided for in Sections A.4 and A.5 below, only properly accredited Board Members have the right to vote and to participate in Board deliberations.

This decision does not have material budgetary implications.

Signed: 5 May 2009

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Rapporteur

Birgit Poniatowski
Secretariat



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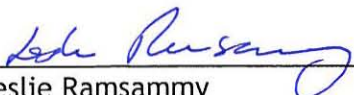
Terms of Reference for Chair and Vice-Chair of the Board

Decision Point GF/B19/DP10:

The Board approves the terms of reference for the Chair and Vice-Chair of the Board, as laid out in Attachment 6 of GF/B19/4. The terms of reference shall be used by the Board in its consideration of the candidature of any proposed applicant for the positions as well as the candidates themselves to ensure they are fully aware of what the role(s) involve.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Allocation of Non-Voting Board Seats

Decision Point GF/B19/DP11:

1. The Board decides to create one additional non-voting seat on the Board to represent the constituency of key partners (Partners Constituency) whose mission is directly related to the Global Fund and who are not currently represented on the Board.
2. The Board decides to invite the Stop TB Partnership, Roll Back Malaria and UNITAID to be the founding members of the Partners Constituency. Any key partner that wishes to be represented on the Global Fund Board through the Partners Constituency should make a formal request to the Board who will determine the appropriateness of their inclusion in the Partners constituency.
3. Accordingly, the Board approves the following amendments to the By-laws:

Article 7. Foundation Board

7.1. Composition

The Foundation Board shall consist of twenty voting members and ~~five~~ six nonvoting members. Each voting member shall have one vote.

[...]


The ~~five~~ six ex-officio nonvoting members of the Foundation Board shall consist of:

- One representative from the WHO;
- One representative from the Joint United Nations Programme on HIV/AIDS ("UNAIDS");
- One representative from the Partners constituency;
- One representative from the trustee; ~~and~~
- One Swiss citizen with his or her domicile in Switzerland authorized to act on behalf of the Foundation to the extent required by Swiss law; ~~and~~
- The Executive Director of the Foundation.

4. The Board requests the PSC to review the purpose, allocation and composition of all non-voting Board seats and report to the Board at its Twenty-Third Meeting.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Attendance at Restricted Sessions of the Board

Decision Point GF/B19/DP12:

The Board amends the Board Operating Procedures, Part C, Section 14, as follows:

[...] 14. Restricted Session

In its discretion, the Board may conduct its business in Restricted Session (Voting Board Members and Alternates only). The Board Chair should exclude non-voting ex-officio Board members from attending a Restricted Session, unless it is deemed by the Board Chair to be appropriate to include such members based on the content of the discussion.

This decision does not have material budgetary implications.

Signed: 5 May 2009

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Birgit Poniatowski
Secretariat



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Timing for the Determination of Income Level Eligibility

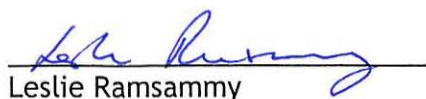
Decision Point GF/B19/DP13:

The Board decides to change the timing of the determination of the income level eligibility for funding from the Global Fund by amending paragraph 4 of Part 3 of the document entitled "Income Level and Cost Sharing Eligibility Criteria for Proposals for Funding from the Global Fund" (GF/B16/7 Attachment 1, Revision 1) as follows:

4. The Secretariat will make income level eligibility determinations on an annual basis at the time of the Call for Proposals under the Rounds-Based Channel following the release of the World Bank Country Income Classifications in July of each year (or following the month of publication if different from July), to be reviewed by the Portfolio Committee at its next meeting. These income level eligibility determinations will be effective for all calls for applications to the Global Fund under all funding channels from 1 January to 31 December for the following calendar year.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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One-Year Grace Period

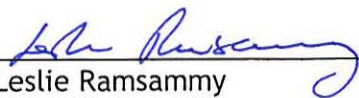
Decision Point GF/B19/DP14:

The Board decides that the one year “grace period” applicable for income level eligibility determinations for Global Fund funding where a country moves up from one income category to the next does not apply in the case that a country moves from “upper-middle income” to “high income”. Therefore, the Board decides to amend paragraph 4 of Part 3 of the document entitled “Income Level and Cost Sharing Eligibility Criteria for Proposals for Funding from the Global Fund” (GF/B16/7 Attachment 1, Revision 1) by adding the following paragraph:

“In line with the general principle that high income countries are not eligible for Global Fund funding, the one-year grace period only applies to countries moving from the “low-income” category to the “lower-middle income” category and for countries moving from the “lower-middle income” category to the “upper-middle income” category. Those countries moving from “upper-middle income” to “high-income” are not eligible for funding.”

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Correction to Definition of High Disease Burden for Global Fund Financing of Tuberculosis in Upper-Middle Income Countries

Decision Point GF/B19/DP15:

The Board decides to correct an error in the definition of high disease burden for Global Fund financing of tuberculosis in Upper-Middle Income Countries by amending paragraph 2 of Part 3 of the document entitled "Income Level and Cost Sharing Eligibility Criteria for Proposals for Funding from the Global Fund" (GF/B16/7 Attachment 1, Revision 1) as follows:

"The country in which the proposal activities are targeted is included on the WHO list of high-burden countries or on the WHO list of countries that account for 95 97 percent of all new cases attributable to HIV/AIDS."

This decision does not have material budgetary implications.

Signed: 5 May 2009

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Additions to Technical Review Panel (TRP) Leadership and Membership


Decision Point GF/B19/DP16:

Additions to Technical Review Panel (TRP) Leadership and Membership

The Board decides to amend the Terms of Reference of the Technical Review Panel (TRP) to add a second Vice-Chair and to increase the overall maximum number of Permanent TRP members from 35 to 40 persons. The revised Terms of Reference are set forth in Attachment 1 of the Report of the Portfolio Committee (GF/B19/5 - Revision 1).

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Technical Review Panel (TRP) Partial Replenishment

Decision Point GF/B19/DP17:


The Board approves the appointment of the following:

1. to strengthen the TRP's cross-cutting expertise with a focus on gender and sexual minorities, Drs Ondina Leal, Tim Brown, Sarah Hawkes, Mabel Bianco and Katya Burns as members of the TRP Support Group;
2. Mr Tim Brown (HIV), Ms Daphne Toupozis (HIV), Mr Nomathemba Mazelani (HIV), Ms Hanem Zaher (Tuberculosis), Ms Ondina Leal (Cross-Cutting), Ms Mabel Bianco (Cross-Cutting), Mr George Gotsadze (Cross-Cutting) and Mr Tore Rose (Cross-Cutting) as Permanent Members of the TRP to serve up to four Rounds commencing from Round 9; and
3. in respect of calls for proposals made in 2009, the twelve (12) persons identified as Alternate Members in the Report of the Portfolio Committee (GF/B19/5 - 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.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Quality Assurance Review of the Status of Pharmaceutical Products Other than anti-Retroviral, anti-Malaria and anti-Tuberculosis Medicines

Decision Point GF/B19/DP18:

The Board requests the Portfolio Committee (PC) to oversee the Secretariat's study of the quality assurance status of pharmaceutical products other than anti-retroviral, anti-malaria and anti-tuberculosis medicines. The Secretariat shall present the findings of the first phase of the study to the PC at its 12th Meeting in September 2009. Based on these findings, the PC may permit the Secretariat to undertake the later stages of the study to explore the possibility of establishing a quality assurance policy for these products. The Board requests the PC to update the Board on the progress of the study at the Board's first meeting in 2010.

The budgetary implications of this decision are estimated at approximately US\$ 250,000 in 2009 for consultations, meetings and professional fees. The Secretariat will endeavor to absorb the incremental costs in 2009 by making commensurate savings within the already approved budget.

Signed: 5 May 2009


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Flexibilities to Set Grant Start Dates


Decision Point GF/B19/DP19:

The Board affirms the importance of rapid grant signature and disbursement of approved funds as reflected in the target of 8 months for the 2009 Key Performance Indicator for the average time from Board approval to first disbursement. At the same time, the Board also recognizes the value of aligning disbursements with national cycles.

The Board delegates to the Secretariat the authority to set the starting date for Grant Agreements up to 18 months after Board approval of a proposal to align with national fiscal and programmatic cycles and support harmonization with existing Global Fund grants and other donor-funded programs. The starting date shall continue to be based on the timing of receipt by the Principal Recipient of the first disbursement of grant funds under a Grant Agreement.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Country Coordinating Mechanisms (CCM) Funding Policy

Decision Point GF/B19/DP20:

The Board agrees that funding for Country Coordinating Mechanisms (CCMs) should be linked to their core functions as defined in the Global Fund Framework Document and further elaborated in the CCM Guidelines¹. The Board recognizes that the role of CCMs has expanded as Global Fund financing for programmes to fight AIDS, tuberculosis and malaria have increased.

To reduce financial constraints that hinder CCMs from fulfilling their responsibilities, the Board adopts in principle a new funding model for CCMs which allows for increased budget amounts and flexible funding modalities on the basis of the following key objectives:

- i. Meaningful civil society and private sector participation (including access to funding for civil society);
- ii. Enhanced CCM capacity for program oversight;
- iii. Improved incentives to harmonize and align with national structures;
- iv. Improved capacity to implement the Gender Equality Strategy and the Sexual Orientation and Gender Identity Strategy;
- v. Introduction of performance-based funding for CCMs;
- vi. Improved measurability and transparency of CCM performance;
- vii. Enhanced country ownership; and
- viii. Encouraging continued multi-stakeholder donor support to CCMs.

The Board delegates authority to the Portfolio Committee (PC) to approve at its 12th Meeting (September 2009) a revised policy for funding for CCMs based upon:

- i. Linking funding to function;
- ii. Accountability through a robust performance framework;
- iii. Strategic objectives and performance targets expressed in workplans and budgets;
- iv. Different country contexts and needs;
- v. Incorporating CCM best practices; and
- vi. Rigorous oversight mechanisms including Local Fund Agent (LFA) verification as appropriate.

The current funding model (GF/B16/DP19) continues to apply until PC approval of the fully defined revised policy, which is expected to take effect in January 2010.

The annual budget for CCM funding will be subject to approval by the Board as part of the regular budgetary process under the oversight of the Finance and Audit Committee (FAC). The financial implications of the proposed CCM funding model are estimated to be approximately US\$ 8 million in 2010 (a maximum increase of US\$ 2 million over the US\$ 6 million CCM budget in 2009) and US\$ 12 million in 2011.

The Board also requests the Secretariat to conduct a review of the CCM Guidelines to clarify the role of CCMs and, as appropriate, to recommend amendments to the CCM Guidelines in time for the


¹ GF/B16/DP19: "CCM Guidelines on the Purpose, Function, Composition and Funding of Country Coordinating Mechanisms and Requirements for Grant Eligibility".

Twentieth Board Meeting (November 2009). The review should take into consideration the recommendations of the Five Year Evaluation, lessons learned and best practice as identified in various CCM studies.

In developing the revised funding policy and reviewing the CCM Guidelines the Secretariat shall engage in a broad consultative process.

The budgetary implications of this decision are estimated at approximately US\$ 250,000 in 2009 for consultations, meetings and professional fees. The Secretariat will endeavor to absorb the incremental costs in 2009 by making commensurate savings within the already approved budget.

Signed: 5 May 2009



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Rapporteur



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Approval of Financial Statements

Decision Point GF/B19/DP21:

The Board approves the 2008 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/B19/6).

This decision does not have material budgetary implications.

Signed: 5 May 2009



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Rapporteur



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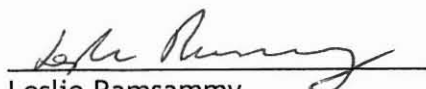
Collaboration from UNDP in Audit and Investigations


Decision Point GF/B19/DP22:

The Board recognizes the significant improvements in collaboration between UNDP and the Global Fund on audits and investigations relating to grant funds. However, the Board notes that there are still areas where the collaboration could be improved and therefore requests the Chair of the Board, in support of the OIG and Secretariat, to secure greater assurance from the UNDP Board regarding audits and investigations of Global Fund grants where UNDP acts as Principal Recipient, including access to the full text of audit and investigation reports.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Delegated Authority for Signature

Decision Point GF/B19/DP23:

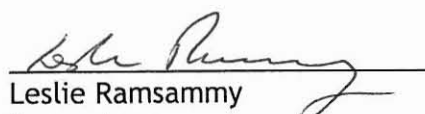
The Board authorizes the Chair and Vice-Chair of the Board and the Executive Director to execute agreements on the Board's behalf. In the event the Executive Director is unavailable to exercise such authority, the Board authorizes each of the Deputy Executive Director, the Director of Country Programs and the Director of Corporate Services individually to execute agreements on the Board's behalf.

In addition, as necessary and appropriate for the fulfillment of the Executive Director's responsibilities for the day-to-day management of the operations of the Global Fund, the Board authorizes the Executive Director to issue proxies to Secretariat staff to execute agreements on behalf of the Global Fund in accordance with the Financial Rules and Regulations and requests the Executive Director to inform the FAC of his signature authority policy.

This decision replaces the Board's decision at its Thirteenth Meeting regarding delegated authority to sign agreements.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Credit Suisse Bank Account

Decision Point GF/B19/DP24:


The Board recognizes that, as a result of the termination of the Administrative Services Agreement with the World Health Organization, all operating expenses are now required to be paid through the Global Fund's Credit Suisse bank account. The Board decides to rescind its previous decision on the policy for the Credit Suisse bank account (GF/SB1/DP6). The Credit Suisse bank account shall be maintained and used by the Global Fund in accordance with the Global Fund's Financial Rules and Regulations for the following:

1. to hold the foundation's capital, of CHF 50,000, as required by Swiss law;
2. to pay for all Secretariat operating expenses in accordance with the Board-approved annual budget; and
3. to receive private-sector contributions that the Trustee is not able to receive directly and other miscellaneous receipts.

The Board requests the Finance and Audit Committee to continue its oversight of the Credit Suisse bank account.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Grant Policy during OIG Investigations and Audits

Decision Point GF/B19/DP25:

The Global Fund does not tolerate corruption, fraud, misappropriation or abuse of any kind in relation to its grants. As part of the comprehensive risk management framework, the Board requests the Executive Director to take strong, immediate action in all circumstances where the Inspector General has determined that there is credible and substantive evidence of fraud, abuse, misappropriation or corruption involving Global Fund grants.

Such action will include the Executive Director restricting the signature of new grants with the nominated principal recipient(s), if the evidence concerns the nominated principal recipient(s), or of all new grants in the country, if the evidence points to country risks.

Restrictions may also include the suspension of disbursements under existing grants in the affected country or countries, the temporary or permanent debarment of any entity under investigation from receiving grant funding or any other measure deemed appropriate and justified under the circumstances by the Executive Director.

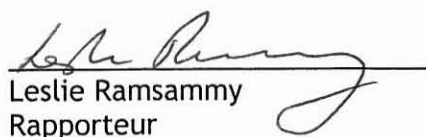
In such situations, the Executive Director shall ensure that measures imposed balance the impact on the country's health systems, other reliant projects and the continuation of the provision of essential services, against the risks to the Global Fund and adherence to the Global Fund's core ethical values and principles. This balance to be struck should not allow any acceptance of fraud.

The Secretariat and the OIG will - each based on their respective role and responsibilities - report on restrictions imposed in relation to any grant(s) in such situations, the specific actions required to lift such restrictions, and the status of the situation. This will be done as soon as possible to the Board via an appropriate mechanism as well as on a regular basis through the FAC and at the Board meeting.

If signature of a new grant with a nominated principal recipient has been restricted, the deadline for signature of a grant agreement shall automatically be extended by a period equal to the period of the restriction in the following limited situations: (i) an OIG investigation or audit by the OIG finds no wrongdoing, or (ii) in the opinion of the Secretariat and OIG, the wrongdoing is not material or the risks to Global Fund grant funds under the new grant are manageable, or (iii) a new principal recipient is identified for the grant under implementation arrangements that address the risks.

This decision does not have material budgetary implications.

Signed: 5 May 2009


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Managing the Tension Between Demand and Supply in a Resource-Constrained Environment

Decision Point GF/B19/DP26:

Based on the updated Demand Scenarios and Resource Forecasts, the Board decides to establish a balanced Working with participation by Dr. Peter Godfrey-Faussett, the outgoing Chair of the TRP, to review the current policies that guide both resource mobilization and resource allocation and to develop a framework for managing the tension between resource demand and supply in a resource-constrained environment.

Upon the recommendation of the Board Chair and Vice-Chair, the Board approves the appointment of the following members of the Working Group:

	Name	Constituency
1.	Peter van Rooijen, as Co-Chair	Developed Country NGO
2.	Dr. Sigrun Mögedal, as Co-Chair	Point 7
3.	Javier Hourcade Bellocq	Communities
4.	Dr. Agnes Binagwaho	Eastern and Southern Africa
5.	Simon Bland	UK/Australia
6.	Amb. Patrice Debré	France/Spain
7.	Michelle Moloney-Kitts	USA
8.	Bill Parr	Western Pacific Region
9.	Sujatha Rao	South East Asia
10.	Todd Summers	Private Foundations
11.	Dr. Ernest Messiah	Latin America and the Caribbean
12.	Enrico Vicenti	Italy

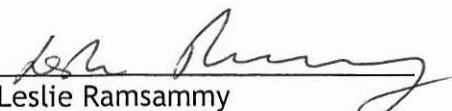
The Working Group is requested to:

1. provide recommendations for amendments of existing policies regarding prioritization for funding technically sound proposals in a resource-constrained environment, subject to review at the appropriate times;
2. provide recommendations, if possible, on future resource allocation policies, to be followed-up by the appropriate Board committee(s); and
3. present options for an increased and urgent resource mobilization effort.

The Working Group is requested to seek appropriate input during its deliberations, consult with PC, PSC and FAC, and report to the Board before its Twentieth Board Meeting in November 2009.

This decision does not have material budgetary implications.

Signed: 5 May 2009


Leslie Ramsammy
Rapporteur


Birgit Poniatowski
Secretariat



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AMFm Phase 1

Decision Point GF/B19/DP27:

The Board recalls its decision regarding the Affordable Medicine Facility - malaria ("AMFM") (GF/B18/DP7).

The Board notes that it will vote on the AMFm proposals at its Twentieth meeting. The Board understands that the independent evaluation of AMFm Phase 1 is now estimated to be completed in the second half of 2011.

The Board decides to maintain the AMFm Ad Hoc Committee as a separate committee of the Board for the duration of the AMFm of the AMFm Phase 1 period with the terms of reference set out in Annex 1 to the Report of the AMFm Committee (GF/B19/7).

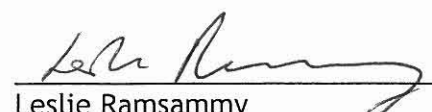
The Board confirms that the Technical Evaluation Reference Group (TERG) will provide guidance with regard to the technical parameters of the design of the independent evaluation of the AMFm, under the oversight of the AMFm Ad Hoc Committee. Consistent with its previous decisions, the Board confirms that the Secretariat will continue to have responsibility for commissioning of the independent evaluation, under the oversight of the AMFm Ad Hoc Committee.


The Board notes pending WHO guidance that fixed-dosed co-formulations (FDCs) are strongly preferable to co-blistered ACTs and may help to delay resistance to artemisinin. The Board also notes that multiple technical issues need to be taken into account to ensure a smooth transition to an exclusive use of FDC ACTs. The Board urges that WHO expedite finalization of this guidance on FDCs and co-blistered ACTs.

The Board requests its Chair to delegate to the relevant committee(s) the task of identifying and considering options for the Global Fund, within its mandate as a financing institution, to support countries in expediting the transition to FDCs, taking into consideration the implications for quality, supply, pricing and appropriate use of ACTs, and to report back to the Board at its Twentieth meeting.

This decision does not have material budgetary implications.

Signed: 6 May 2009


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Rapporteur


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AMFm Governance

Decision Point GF/B19/DP28:

On the recommendation of the Board Chair and Vice Chair, the Board makes the following decisions with respect to the AMFm Ad Hoc Committee leadership and membership.

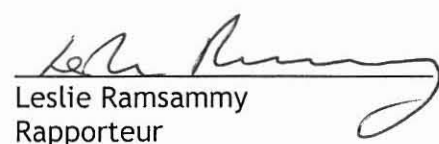
The Board decides that, in order to enable the new Board leadership to ensure appropriate balance, the leadership and membership of the AMFm Committee shall be renewed at the same time as all the other committees of the Board. The Board clarifies that the membership of the AMFm Committee is 10 voting members, plus representation by WHO, RBM and UNITAID.

The Board notes that the AMFm Committee Chair is resigning and approves the appointment of Professor Eytayo Lambo as acting Chair of the AMFm Committee pending renewal of committee leadership and membership.

The Board notes that UNITAID has requested a role in the governance of AMFm. Recognizing UNITAID as a key partner in support of AMFm, the Board decides, as a one-time exception to the Committee Rules and Procedures and without setting a precedent, to request the Board Chair to invite the UNITAID Board to nominate a suitable representative to serve as Vice-Chair of the AMFm Committee. The appointment of the UNITAID Board representative shall be subject to the approval of the Board Chair and Vice Chair and the AMFm Committee Chair.

This decision does not have material budgetary implications.

Signed: 6 May 2009


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Rapporteur


Birgit Poniatowski
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Follow-up to the Five Year Evaluation

Decision Point GF/B19/DP29:

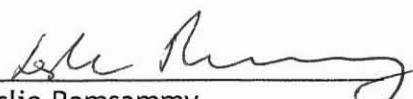
Recognizing the continued role of the TERG in the follow-up to the Five Year Evaluation (5YE), as part of the TERG mandate to provide independent advice, assessment and oversight for the Global Fund's work on monitoring and evaluation (M&E), the Board:

1. welcomes the findings and recommendations included in the Study Area (SA) 3 Report and in the Synthesis Report of the 5YE, as summarized in the TERG Report (GF/B19/10);
2. endorses the TERG's call for action for the Global Fund to work with partners to strengthen country monitoring and evaluation, and information systems for performance and impact, to build analytical capacity in countries and to support development of country-owned impact evaluation platforms;
3. requests the Secretariat to articulate a process and timeline for responding to and implementing the recommendations set out in SA3 and the Synthesis Report by 15 June 2009, and to report to the Board at its Twentieth Meeting, through the Policy and Strategy Committee (PSC), on the Secretariat's progress in responding to recommendations contained in the SA1, SA2, SA3 and Synthesis Reports, as well as the TERG recommendations in relation to these reports;
4. requests the Chair of the Board, in consultation with Committee Chairs, to set up a small ad-hoc committee by 30 June 2009 with the specific task of assisting the Board, through the PSC, to (i) follow-up on, and formulate the Board's responses to the 5YE recommendations, and (ii) further define the role of the TERG in relation to independent evaluations, the resources required and Board oversight of the process.

This decision supersedes the Board Decision (GF/B18/DP21).

This decision does not have material budgetary implications.

Signed: 6 May 2009


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Rapporteur


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Partnership Forum 2008

Decision Point GF/B19/DP30:

a) The Board takes note of the "Partnership Forum 2008 Report" (GF/B19/14) and agrees to use the recommendations contained therein to inform ongoing strategic planning and management of the Global Fund. The Board assigns responsibility to oversee follow-up on the recommendations to its committees as laid out in Attachment 1 to GF/B19/4.

b) The Board decides to hold the fourth Partnership Forum in the first half of 2011 and approves the following amendment to Article 6.3 of the By-Laws:

By-Laws: Article 6.3 Frequency and notice of meetings

The Partnership Forum will meet ~~biennially, at any time during even calendar years~~ every 24 to 30 months.

Meetings of the Partnership Forum shall be convened by written notice from or on behalf of the Foundation Board.

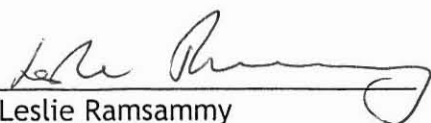
c) The Board mandates the Policy and Strategy Committee to establish a Partnership Forum Steering Committee to start planning for this event early in 2010.

d) The format, duration and organization of the fourth Partnership Forum should build on the lessons learned from previous Partnership Fora.

e) The Board approves a budget of US\$ 1,500,000 as an upper limit for the fourth Partnership Forum and requests the Finance and Audit Committee to ensure that provision is made in the 2010 budget for adequate staff resources.

This decision does not have material budgetary implications for 2009.

Signed: 6 May 2009



Leslie Ramsammy
Rapporteur



Birgit Poniatowski
Secretariat



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Procedure for the Election of the Chair and Vice-Chair of the Board

Decision Point GF/B19/DP32:

The Board agrees to delay the election of the Board Chair and Vice Chair until no later than 15 July, 2009.

The Board requests a group representing the entire Implementing Voting Group, with assistance from the Secretariat, to recommend candidate(s) from the Implementing Voting Group before the election vote. Each constituency within the Implementing Voting Group shall appoint a participant for this group.

The Implementing Voting Group will ensure that its constituency members are fully informed and receive clear explanations in relevant languages of the nomination and election process and will facilitate discussion and agreement on the candidate(s).

The Board requests the Secretariat, supported by the Implementing Voting Group, to use other opportunities to explain the nomination and election process to delegations, such as at side meetings at the World Health Assembly, as well as efforts to directly inform individual delegations.

If there is only one recommended candidate for the Chair, the Board shall vote on the election of the Chair and Vice-Chair by electronic vote. If there is more than one recommended candidate, the Board shall vote on the election at a Special Board Meeting in person, combined with other business and with attendance limited to Board Members and Alternates.

As an interim measure, the Board decides to extend the terms of

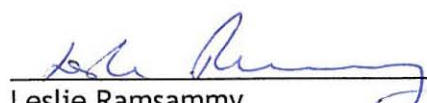
- (a) the current Board Chair and Vice-Chair, until the new Board leadership is appointed; and
- (b) the current leadership and membership of the existing committees until the Twentieth Board Meeting after which the new leadership and membership of the committees will be established.

The Board requests the current Chair and Vice-Chair to constitute the new Market Dynamics Committee with full consultation with all Board members.

The Board requests the Policy and Strategy Committee (PSC) to review the procedures for nomination and election of the Board Chair and Vice-Chair taking into account lessons learned and report to the Board at its Twenty-First Meeting.

If an in-person Special Board Meeting is required, the budgetary implications of this decision are estimated to be approximately US\$180,000 for the Special Board Meeting.

Signed: 6 May 2009


Leslie Ramsammy
Rapporteur


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Secretariat



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Enhancing the Global Fund's Response to HIV/AIDS

Decision Point GF/B19/DP34:

1. As a leading multi-lateral financier of HIV/AIDS programs globally, the Board recognizes its role as a responsible steward of the Global Fund's investments on behalf of people living with and at risk of HIV and the need to ensure high impact of programs supported by the grants that it approves while achieving maximum value for money.
2. The Board recognizes that improving prevention efforts is critically important to the fight against HIV/AIDS and that the Global Fund should support countries in implementing HIV prevention strategies that are targeted, evidence-based and consistent with local epidemiology. The Board welcomes the initiative by UNAIDS to form, in an expedited manner, a working group, which may include interested Board constituencies, on assessing evidence and developing practical actions on increasing country adoption of 'combination prevention' strategies to determine relevant actions and the appropriate role for the Global Fund which will be presented to the Board at its Twentieth Meeting for relevant action.
3. The Board also recognizes that the Global Fund has a responsibility to use its influence to leverage a reduction in stigma, discrimination, criminalization of people due to their sexual orientation or gender identity and HIV+ individuals, travel restrictions and sexual and gender violence.
4. The Board recognizes that, despite important progress made, there are significant gaps in scaling up coverage of effective HIV prevention, treatment, care and support. In addition, there is an urgent need to improve the quality of care for people living with HIV, reduce the costs of treatment in the long term, and to increase the number of people served through programs supported by the Global Fund. Therefore, the Board:
 - i. Recognizes the urgent need to increase resource mobilization efforts, given the need to increase overall HIV treatment and care coverage to achieve the goal of universal access. In addition, acknowledges that increased uptake of innovations in HIV treatment and care may result in initial cost increases, but encourages the technical, programmatic and financial evaluation of these investments.
 - ii. Requests the Secretariat to work with partners to project the long-term financial costs of existing commitments and future demand on the Global Fund as a major funder of prevention, treatment, and care, including the potential impact of strategies to improve outcomes and reduce treatment costs. This study should include but not be limited to possible protocol changes. Findings should be presented to the Portfolio and Implementation Committee in order to recommend relevant Board action prior to the Twenty-First Board Meeting.
 - iii. Recognizing the value of new technologies to improving quality and cost-efficiency of HIV/AIDS prevention, care and treatment, requests the ad-hoc Market Dynamics Committee, in collaboration with partners, to consider how the Global Fund, its partners, Principal Recipients, and Sub-recipients can accelerate access to and uptake

of cost-effective new technologies and optimized HIV treatment regimens, to improve outcomes.

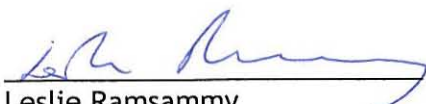
- iv. Requests the Secretariat to urgently work with partners to adopt measures to identify gaps and to further improve the quality of Global Fund supported prevention, treatment, care and support including operational research to identify effective scaling up strategies to improve outcomes. These measures should be reviewed by the Portfolio and Implementation Committee during its review of the Round 10 proposal form and guidelines.

5. The Board recognizes that prevention of HIV in women and preventing HIV-positive mothers from dying and babies from being infected with HIV is crucial to achieving the goals of universal access and an HIV/AIDS-free generation. Scaling-up access to, and use of effective prevention of mother-to-child transmission (PMTCT) and paediatric HIV care, support, and treatment services - which are integrated with primary, maternal and child health and comprehensive sexual and reproductive health programs - is a critical component of the Global Fund's Gender Equality Strategy. Therefore, the Board requests the Secretariat to conduct a review of the portfolio to identify paediatric HIV high burden countries with low PMTCT and paediatric HIV care, support, and treatment coverage rates and prepare options for the Portfolio and Implementation Committee to use available mechanisms to accelerate transitions to more efficacious ARV regimens for effective PMTCT strategies, which should be reported to the Board at its Twentieth Board Meeting

6. The Board urges CCMs to consider while formulating future proposals that are targeted, evidence-based and consistent with local epidemiology to (i) re-intensify efforts to prevent HIV including among vulnerable populations; and (ii) to improve the health of HIV-infected pregnant women and children through effective PMTCT and paediatric HIV care and treatment programs to ensure improved responses to high paediatric loss-to-follow-up rates; and that strengthen a family centred care approach. The Board also urges CCMs and Principal Recipients, as needed, to consider reprogramming existing grants on the basis of the above.

This decision does not have material budgetary implications.

Signed: 6 May 2009



Leslie Ramsammy
Rapporteur



Birgit Poniatowski
Secretariat



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Preventing Treatment Disruption

Decision Point GF/B19/DP31:

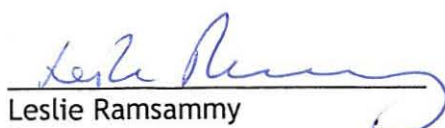
The Board notes with concern increasing reports of threats to HIV/AIDS, tuberculosis (TB), and malaria treatment continuity. For example, recent estimates by the World Bank indicate that antiretroviral treatment to 1.7 million people is under threat, with 15 countries "highly exposed" to the risk of treatment interruption.

Therefore, the Board requests the Chair and Vice Chair to delegate to the appropriate committee(s) the task of reporting back to the Board at its Twentieth Meeting with an update on this issue, including an analysis - undertaken by the Secretariat in cooperation with partners as a matter of urgency - that indicates which countries receiving Global Fund support for HIV/AIDS, TB and malaria treatment are at risk of treatment disruption in 2009-10. The Board requests that the Secretariat, while continuing its ongoing work to minimize the risk of stock-outs and treatment disruption, report to the appropriate committee(s) on whether or not existing procedures are adequate and propose solutions to minimize the risk of stock-outs and treatment disruption on an ongoing basis.

The Board also requests the Secretariat to designate a focal point to liaise with specified focal points among relevant partners and affected communities to facilitate communication and respond effectively and collectively to threats to treatment continuity.

This decision does not have material budgetary implications.

Signed: 6 May 2009


Leslie Ramsammy
Rapporteur


Birgit Poniatowski
Secretariat



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Annual Report 2008

Decision Point GF/B19/DP33:

The Board approves the Annual Report as presented in GF/B19/11.

This decision does not have material budgetary implications.

Signed: 6 May 2009

Leslie Ramsammy
Rapporteur

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Secretariat



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Outgoing Deputy Executive Director

Decision Point GF/B19/DP35:

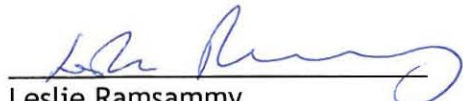
We, the Board, express our sincere and deep gratitude to Helen Evans for her service to the Global Fund. Her dedication, fortitude, and ability to handle the many demands made on her with equity, patience and grace, especially during challenging times, is universally admired. Her ability to lead in so many critical areas of the Global Fund speaks volumes to her strength and skills.


We appreciate her passion, commitment and loyalty to the Global Fund and its mission and her principled leadership and tireless efforts to ensure its success. She will be much missed by the Board and by the Secretariat staff.

We wish Helen all the best in her endeavors, and look forward to continuing to work with her in her continuing role as a global health leader dedicated to improving global health.

This decision does not have material budgetary implications.

Signed: 6 May 2009


Leslie Ramsammy
Rapporteur


Birgit Poniatowski
Secretariat