

REPORT OF THE TWENTY-EIGHTH BOARD MEETING

PURPOSE: This document presents the draft Report of the Twenty-Eighth Global Fund Board Meeting, held in Geneva from 14-15 November 2012. It includes all decisions made at that meeting as Annex 1.

The Report of the Twenty-Eighth Board Meeting is subject to ratification by the Board of the Global Fund at its Twenty-Ninth Meeting in June 2013.

Accompanying documentation from the Twenty-Eighth Board Meeting is available at <http://www.theglobalfund.org/en/board/meetings/twentyeighth/>

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Agenda Item 1: Opening

1. The Board Vice-Chair, Dr. Mphu Ramatlapeng, welcomed delegates to the Meeting. She shared that the important decisions to be taken at the meeting, such as the selection of a new Executive Director and approval of the parts of the new funding model, would feed into important discussion at the mid-term review of the third replenishment, which was scheduled to take place immediately after the Board Meeting. In his opening remarks, the Board Chair confirmed the strategic importance of selecting the next Executive Director and decisions on evolving the new funding model as stepping stones to allow the Global Fund to make sustained changes in curbing the three diseases.
2. A candle was lit in memory of those who had passed away due to AIDS, tuberculosis and malaria by Mr. David Stevenson of the Canada and Switzerland constituency, reminding the Board that collective efforts must go on to put an end to these three pandemics.
3. Dr. Jan Paehler from the European Commission (Belgium, Finland, Portugal, Italy and Spain) constituency was appointed as Rapporteur for the meeting (*Decision Point GF/B28/1*).
4. The Board approved the meeting agenda¹ (*Decision Point GF/B28/2*).
5. The Board approved the report of the Twenty-Seventh Board meeting² (*Decision Point GF/B28/3*).
6. The Board Chair thanked Board Delegates for their participation in the pre-meeting sessions which covered: operational expenditure and the forecast of assets, the evolution of the new funding model, and progress achieved as part of the ongoing governance reform. He confirmed that the phased approach to governance reform would continue.
7. The Chair also welcomed the new Board Member for Japan, Mr. Koichi Aiboshi. He thanked the outgoing Board member for Japan, Mr. Masaki Noke, for his excellent work as a Board Member, and also as Chair of the Ad-Hoc Nominations Committee (AHNC), which had managed the candidate identification process for the selection of the next Executive Director of the Global Fund.
8. The Board Chair invited input into the tracking sheet of actions emanating from the Twenty-Seventh Board Meeting³. He explained that actions emanating from the Twenty-Eighth Board Meeting, other than formal Decision Points, would be captured in the same format and tracked routinely to ensure implementation.

Agenda item 2: Executive Director Selection Process

9. When inviting the Chair and Vice Chair of the AHNC to present its update on the selection process on day 1 of proceedings, the Board Chair reminded delegates that this presentation was the first of three information sessions that the Board would use to select the next Executive Director of the Global Fund. The Board Chair confirmed that the other two sessions were:

¹ GF/B28/01. Indicative Agenda. Version: 29 October 2012.

² GF/B28/11. Report of the Twenty-Seventh Board Meeting

³ Tracking Sheet - Twenty-Seventh Board Meeting Decisions and Action Points. Version: 12 November 2012.

- (1) Four separate twenty-minute presentations to the Board by each of the short-listed candidates for the ED position which had happened the evening before; and
 - (2) A separate interview conducted in Executive Session with each candidate on the morning of 14 November before the official opening of the Board Meeting.
10. The AHNC Chair, Mr. Masaki Noke and Vice Chair, Mr. Karlo Boras, spoke to the Report of the 2012 Executive Director AHNC (GF/B28/5). The presentation described the comprehensive outreach and referencing processes used to formulate the initial, regionally diverse, shortlist of eleven candidates (six women, five men). They explained how this initial list was further refined so that the AHNC was able to recommend to the Board four highly qualified candidates after two rounds of interviews and careful referencing. To complement the AHNC's report, the AHNC Chair offered that a short "lessons-learned" survey with Board colleagues would be undertaken by the committee to contribute to institutional memory on the selection process.
 11. Board members commended the AHNC for its outstanding work. The Board agreed that the AHNC's transparent, inclusive and unbiased approaches had resulted in excellent outcomes, and that clear efforts had been made to encourage applications from the most suitable candidates from all regions of the world. It was noted that no candidate from the South had been shortlisted, and one delegate asked the AHNC leadership to comment on whether the requirement of gender balance of the shortlist might have affected the outcomes.
 12. The AHNC Leadership reaffirmed that all four candidates had been recommended to the Board solely because of their capabilities for the role, and explained that despite comprehensive outreach, the number of applicants from the South had been less than from the North. The AHNC leadership also commented that of the eleven candidates shortlisted for interviews, two women from developing economies had withdrawn from the process. Finally, the purely merit-based criteria adopted in interviews (shared by all members of the AHNC uniformly, from implementer and donor countries alike) had resulted in the unanimous recommendation to the Board of the four candidates under consideration by the Board. In response to the particular question raised on gender, AHNC Chair observed that it was possible that the requirement to shortlist "at least as many women as men" had added to the challenges faced by the AHNC at its most fundamental. He said it may, hypothetically, have placed male candidates at a disadvantage should a female candidate have withdrawn from a shortlist that met the Board's requirements immediately before the Board meeting. He remarked that this situation had not, fortunately, resulted.
 13. The Board thanked the AHNC and Simon Kingston of Russell Reynolds Associates, the AHNC-appointed Executive Search Firm, for their work. Special thanks were extended to the Board Chair for his stewardship, and to his Advisor, Ms. Karmen Bennett, for excellent facilitation of the process.
 14. Delegates welcomed the AHNC's offer to document the lessons learned to preserve institutional memory, and suggested including reflections on what could have been done differently to encourage a larger number of suitable candidates from the Global South to apply for the role.
 15. The Chair ended the session by extending his appreciation for the time dedicated by each of the four candidates in order to participate in the selection process, and stressed

the importance of developing a good relationship between the Board, the Secretariat, and the incoming Executive Director.

Agenda item 3: New business model under the 2012-2016 Strategy

16. The Vice Chair congratulated the Secretariat and the Strategy, Investment and Impact Committee (SIIC) on the remarkable achievement of moving forward the evolution of the new funding model as requested by the Board⁴ to accelerate the implementation of the Global Fund 2012-2016 Strategy.
17. The General Manager, Mr. Gabriel Jaramillo, outlined the progress made on the corporate transformation. He expressed his confidence that the Secretariat was now operating at an acceptable level of “execution risk” as it moved towards a new business model under a new executive management. With more than 120 staff promoted into new positions, Mr. Jaramillo described the transformation process as a great source of motivation. He confirmed the Secretariat’s commitment to “keep the trains running on time”, with a strengthened grant review process, more timely disbursements, and continued focus on resolving issues with “stuck” grants. In presenting an overview of the timelines governing the introduction of the new funding model he stressed that ample time must be allowed to communicate and to build trust within the Secretariat and with countries, civil society and partners.
18. Mr. Todd Summers, SIIC Chair, briefly reviewed the Global Fund’s new, proactive approach of bringing together countries and partners to identify funding needs and gaps, develop successful applications (through the new Concept Notes) and turn those into disbursement-ready grants. He then presented the SIIC’s recommendations on the six major topics for decision⁵:
 - 1) Allocation period and length of grants: The SIIC recommended that the Global Fund allocate funding to groups of countries (Country Bands) at the start of fixed three-year periods aligned to the Global Fund replenishment cycle and based on the latest available financial forecasts. The funding allocated to each band available for countries to request and implement grants at any time during the three-year window. Duration of grants should be three years, although longer or shorter periods could be requested, based on valid supporting arguments.
 - 2) Principles to establish Country Bands: The SIIC recommended each country should be included in only one Country Band, and the grouping should be logical and simple to communicate. Each band should be large enough to allow flexible allocation of funds for programs targeting the three diseases to the countries within it. One of the SIIC recommendations was to group countries according to *per capita* Gross National Income (GNI) and disease burden (determined by historical funding allocations until a better measure is defined). Funds should be set aside for a “targeted” band of countries with low disease burden and high income with a focus on Most At Risk Populations (MARPs) or other special needs.
 - 3) Allocation of funding to each Country Band: The SIIC recommended this should be the sum of individually calculated country allocations based on GNI *per capita* and disease burden, adjusted by the Secretariat to ensure that each country has, at a minimum, the funding needed to meet ethical obligations, and taking into account other available funding. A different methodology for the “targeted” Band is still under development. The allocation should include both

⁴ Decision Point GF/B27/DP7: Evolving the Funding Model

⁵ GF/B28/02: Evolving the Funding Model.

committed and uncommitted assets, and the Board should approve amounts allocated to Country Bands.

- 4) Split between indicative and incentive funding: The SIIC recommended that at the time of approving allocations to Country Bands, the Board should also approve the proportion of each band that should be used as indicative funding for country prioritized needs (the Board will approve a definition of “prioritized needs” at its Twenty-Ninth Meeting). Based on this proportion the Secretariat will communicate an indicative funding range to each country as part of the country dialogue, with negotiated adjustments according to risk, available co-funding, past program performance and absorptive capacity.

The remaining proportion of the band allocation, and any funds available after the allocation to Country Bands, would be designated for incentive funding, designed to reward full expressions of quality demand preferably based on strong national strategies. A process to award incentive funding will also be developed.

- 5) Managing unfunded demand: The SIIC noted that it is unlikely that indicative and incentive funding would be enough to cover the full demand as expressed by each country, so the Secretariat would maintain a register of unfunded demand that could be used to support further global resource mobilization.
- 6) Transition to the new funding model: The SIIC noted that in December 2012, the amount of uncommitted assets to be disbursed under the new funding model will be recommended to the Board for approval by the Finance and Operational Performance Committee (FOPC). Initial disbursement of funding in early 2013 will be mainly through existing grants. The Secretariat will invite a subset of five countries to go through the full process of indicative and incentive funding allocation, country dialogue, and development of concept notes. During 2013 the Global Fund will amend policies that may be in conflict with the new funding model such as the Comprehensive Funding Policy.

19. The SIIC Chair introduced the inter-related Decision Points GF/B28/DP4 and GF/B28/DP5 reflecting the above elements, with revisions to include friendly amendments (those consistent with the SIIC’s intent), as submitted by constituencies after the pre-meeting discussions.
20. Delegates were united in appreciating the dedicated work and intensive consultation process initiated by SIIC and the Secretariat to gather feedback and input to the process of evolving the proposed new funding model in the short time available since the Twenty-Seventh Board Meeting.
21. Constituencies welcomed the principles of the new model, with shared responsibility for a sustainable response to the three pandemics centered on strong national strategies. Recognizing that much remains to be done to implement the model and to communicate it to grant recipients in simple terms, the Board agreed that the Global Fund should go ahead with its implementation.
22. Technical partners stated their readiness to support the implementation of the new model by providing their expertise and by leveraging existing strategies, funding and collaboration for a joint fight against the three diseases. They asked for early clarification of roles, responsibilities, and actions to ensure a good start and to allow them to optimize the use of their own limited resources.

23. The Private Sector constituency enquired about the anticipated time from concept note to disbursement, and three constituencies noted their opposition to a model under which, except for the pilot countries, applications submitted under the 2014-2016 allocation period would only bring funds to countries in late 2014. They observed that this was despite the promise made at the Twenty-Fifth Board Meeting that new funding would become available in early 2014.
24. While there was general agreement to commit funding promptly under the new model, some nervousness remained about details of the model, given the magnitude of the changes. Several speakers stressed the need for simple communications to countries; one asked about the planned strategy and estimated costs of switching to the new model. On funding allocations to Country Bands questions were asked about the future measure of disease burden, consideration of national debt alongside national income, consideration of the increasing incidence of multi-drug resistant tuberculosis, and continued focus on prevention and diagnosis. On indicative country funding, delegates asked how performance would be factored in, whether there would be maximum caps per country, and whether remediable risks and willingness to pay might increase rather than decrease funding. Further questions were raised on ways to ensure meaningful country dialogues, inclusion of civil society and continued focus on human rights, and what the role of the Country Coordinating Mechanism (CCM) would be in the process of approving concept notes. Questions also remained around awarding incentive funding and whether it would be possible for countries to update their expressions of demand after funds had already been allocated for the three-year period.
25. In response to the concerns on timing, the SIIC Chair, and the Head of the Global Fund Grant Management Division, Mr. Mark Edington, confirmed that uncommitted funding would flow to countries at risk of service interruption (mainly through existing grants and renewals starting in early 2013), in addition to the five pilot countries that will complete the full process. They further assured the Board that:
 - a. Where strong national strategies are in place, the time from concept note to disbursement could be as short as 2 to 3 months;
 - b. Although the readily available measure of disease burden is prevalence, situations of high incidence would be considered, and the current eligibility criteria would continue to apply, providing flexibility to address multi-drug resistant tuberculosis in line with recent advocacy for an aggressive fight of MDR-TB;
 - c. Measures of national ability to pay would be reconsidered in light of net national income from all relevant sources;
 - d. While CCMs will remain responsible for facilitating the application process, the country dialogue would aim to be as inclusive as possible and ensure that non-CCM groups are heard and included, and that there would be continued focus on human rights, with bilateral organizations having offered support in engaging in political dialogues with countries;
 - e. Risk and willingness to pay could increase a country's indicative funding range where this is deemed to increase program impact;
 - f. Countries would be able to update their expressions of demand, as is already the case under the current model; and

- g. The Secretariat would continue to develop training modules and clear communication about the new funding model, but the proof of successful implementation will be effective delivery of support in countries.
26. In addition to the clarifications provided, four constituencies asked for further reassurance on timeframes and other elements of the model. A further round of caucusing took place after the end of the first meeting day's sessions.
27. On the second meeting day, the two Decision Points were tabled with further revisions and received broad support. The Communities' constituency requested clarity about when the remaining issues, especially the allocation to the "targeted" Country Band, would be addressed. The SIIC Chair responded that the SIIC expected to meet again in January or February 2013 to discuss options proposed by the Secretariat in consultation with constituencies.
28. The revised Decision Point GF/B28/DP4 passed with one opposing vote.
29. The revised Decision Point GF/B28/DP5 passed without opposition and with one abstention.

Agenda item 4: Report of the Inspector General

30. The Board Chair invited the Chair of the Audit and Ethics Committee (AEC), Mr. Graham Joscelyne, to chair the session.
31. The AEC Chair first briefed the Board on the ethics dimension of the AEC's work, noting the need for the Fund to create an ethics compliance framework as a key part of implementing the Global Fund's new business model. He observed the AEC's view that this should be implemented with a dedicated ethics office and codes of conduct, bringing to the Fund consistent standards across the organization including the Board and constituency representatives.
32. The AEC Chair noted the AEC's willingness to support the Secretariat in this work and will update the Board on the handling of ethical matters.
33. Mr. Joscelyne commended the new Chief Financial Officer (CFO) for rapidly identifying and addressing issues related to the annual financial statement to the Board, adding that the AEC is monitoring the services and fees of the external auditors, Ernst and Young, for both audit and non-audit services.
34. With regard to risk management, he acknowledged the strengths of the initial work undertaken by the Chief Risk Officer and recommended that this work should be anchored in a governance sub-committee tasked with direct risk management oversight. The AEC Chair further called for the establishment of a formal risk control framework, definition of risk management policies and articulation of the Global Fund's risk appetite.
35. In reporting on the AEC's oversight of the Office of the Inspector General, the AEC Chair noted some positive developments in how the Office functioned on an overall basis.⁶ This included the completion and release of an important number of outstanding assurance reports, setting of key performance indicators to measure the performance of the Office of the Inspector General over time, and the development of a

⁶ As called for the Board in its adoption of the recommendations of the 2011 Report of the High-Level Independent Review Panel on Fiduciary Controls and Oversight Mechanisms

risk-based multi-year assurance plans in regard to country level grant implementation for 2013-2015.

36. The AEC Chair shared that an external peer review according to international professional standards had found the OIG's assurance function to be "partially compliant", and that there was room for improvement. The AEC Chair added that the AEC would monitor implementation of actions arising from the peer review, and further, that it would report on a peer review of the investigations function, planned in early 2013, at the next Board meeting. The AEC presentation ended with an acknowledgement that the backlog of the 2012 audit plan has been cleared, and invited the Inspector General to present his report.
37. The Inspector General then presented his report on the 2012 activities, priorities and the 2013 budget of the OIG⁷. He noted that since 2011, the average time from audit debrief to report release has decreased from 162 to 48 days. He commented on plans to achieve "general compliance" with professional audit standards and to strengthen in-house investigative capacity to move away from contractor support. He presented the proposed 2013 budget, as endorsed by the AEC, amounting to USD 21.1 million, which comprised a reduction of 16 percent compared with the 2012 proposed budget (of which 70 percent had been spent).
38. In the brief discussion that followed the Inspector General's verbal presentation to the Board, delegates asked questions directed to the AEC and the Inspector General.
39. On the AEC Chair's update on the committee's activities, delegates enquired about the expected timelines for completing the proposed ethics and control frameworks and about procedures to sign off the Global Fund's financial statements. The AEC Chair responded that work was on track to build ethics and risk control frameworks into the Global Fund's evolving new business model, and that issues with the 2012 annual financial statement would be addressed before the end of 2012. He further explained that the AEC was confident that it would receive the Secretariat's letter of representation and external auditors' findings in time to recommend the 2013 annual financial statement to the Board well before its meeting.
40. In commenting on the Inspector General's report, a number of delegates welcomed the shortened times to release assurance reports and plans to strengthen in-house capacity. However, referring to the consequences that halted grants have for populations at risk, they asked for details of the reported improvements as well as the way forward to address the reported challenges. A small number of delegates thanked the Inspector General for the shorter, more focused report to the Board on this occasion, whilst others mentioned the desirability of trying to keep the language in reports as neutral as possible, and that there were still opportunities to re-focus the reporting to meet the Board's needs.
41. In responding to the volume of work, and the ability to ensure timely work, the Inspector General answered that recruitment has been outpaced by a fast-growing caseload which should be monitored, and that the Office of the Inspector faced delays in receiving documentation and responses to audit questions.
42. The Inspector General also confirmed that he welcomed feedback on the tone of reporting.

⁷ GF/B28/07. OIG Progress Report (April – October 2012)

43. In commenting on the large number of pending country-level assurance recommendations, the AEC Chair added that many of the recommendations relate to issues outside the Global Fund's control.

Agenda item 5: Affordable Medicines Facility-malaria (AMFm)

44. The Chair of the AMFm working group (the work of which is overseen by the Strategy, Investment and Impact Committee), Mr. Alan Court, presented an update on AMFm to the Board. This followed an evaluation of Phase 1 of AMFm⁸. The evaluation found that AMFm had been a "game changer", improving availability, price and market share of quality-assured artemisinin combination therapies (ACTs) in the private for-profit sector – which plays a dominant role in some countries - in 6 out of 8 pilot countries, with slower impact in the public sector. The evaluation found less than expected evidence of profiteering. Recent related studies indicated that subsidized ACTs have reached remote areas, children under-five years of age and poor populations.
45. The AMFm working group Chair described changes in the global malaria landscape. He shared that as global preventive efforts have reduced the proportion of fevers due to malaria, countries were seeking to scale up access to diagnostics in accordance with current technical guidance. He added that for confirmed malaria cases quality-assured ACTs remain the treatment of choice, and supporting interventions such as information on recommended retail prices, provider training and regulatory actions continue to be essential.
46. The SIIC Chair spoke to the SIIC's recommendations on the AMFm⁹, namely, modifying the AMFm by integrating it into Global Fund operations. A centralized, private sector, ACT negotiation and co-payment system will be established at the Global Fund, including a diagnostic component as judged feasible by technical partners. Countries will cover the cost of co-payments and supporting interventions from grant funds and other sources.
47. To sustain gains from the AMFm Phase 1, the SIIC recommended transitional arrangements for 2013, under which the AMFm team at the Secretariat would continue to manage private sector ACT co-payments for pilot countries. The estimated co-payment cost of USD 114 to 154 million will be raised by the global donor community after an additional assessment of needs and gaps, and will be apportioned to countries upfront for 2013 instead of being released by the Secretariat over time and subject to demand levers. An additional estimated USD 26 million for supporting interventions will come from countries' grant funds as before.
48. Donor and implementer constituencies supported the proposed decision point. They congratulated the Global Fund on integrating AMFm into its operations and welcomed the emphasis on a country-driven approach. The speaker for West and Central Africa commented on the achievements made in Nigeria in AMFm Phase 1. Several delegates underlined the importance of collaborating with the Roll-Back Malaria Partnership (RBM) and other stakeholders, of scaling up the use of diagnostics in all sectors as part of national strategies, and of monitoring and documenting the continuation of AMFm.

⁸ Independent Evaluation of the Affordable Medicines Facility - malaria (AMFm) Phase 1. Multi-Country Baseline Report.

http://www.theglobalfund.org/documents/amfm/AMFm_Phase1IndependentEvaluationMultiCountryBaseline_Report_en/. See also: Tougher S. *et al.* Effect of the Affordable Medicines Facility—malaria (AMFm) on the availability, price, and market share of quality-assured artemisinin-based combination therapies in seven countries: a before-and-after analysis of outlet survey data. *The Lancet*, Early Online Publication, 31 October 2012. [http://dx.doi.org/10.1016/S0140-6736\(12\)61732-2](http://dx.doi.org/10.1016/S0140-6736(12)61732-2)

⁹ GF/B28/04: Report to the Board on the AMFm.

49. Several delegates emphasized the importance of providing appropriate treatment of both malaria and non-malaria fevers. They suggested to embed and monitor effective diagnostic testing across health sectors together with technical partners, and to support appropriate treatment of non-malaria fevers, for example by deploying community health care workers at ACT supply points. They further called for continued monitoring and more analysis on ACT availability and usage.
50. The Private Sector delegate expressed her constituency's full support as a major partner in ACT co-financing. Reminding the Board that reliable forecasts and clear, agreed procedures are essential for manufacturers to keep up a sustainable supply of quality-assured ACTs, she requested the Board to provide more detailed information on governance and operational procedures for the AMFm at the Twenty-Ninth Board Meeting, for example, the need for the malaria community as a whole to reflect on how to best govern the important issue of affordable access to malaria medicines, and through which broad governance frameworks.
51. Technical partners welcomed the integration of lessons learned and new technical guidance into Global Fund operations and pledged their support. Representatives of the WHO reminded the Board of the resource implications of assessing the feasibility of including diagnostic testing into the co-payment scheme. It was noted that UNTAID will consider a grant proposal to support the continuation of AMFm, but had not received such a proposal to date.
52. Delegates also requested that the Global Fund maximize access safe and cost-effective ACTs by combating fake and counterfeit drugs, by protecting the integrity of the quality-assured ACT brand bearing the "green leaf" logo, and by taking up strategic ACT market issues in the agenda of the Market Dynamics Advisory Group (MDAG).
53. The SIIC Chair responded that appropriate treatment of both malaria and non-malaria fevers touches wider health care issues and access to such treatment will be "a critical part" of how the Global Fund will work with countries and partners to strengthen national health care systems. He pledged the help of the Technical Evaluation Reference Group (TERG) and the MDAG to make use of lessons learned from AMFm Phase 1 on technical monitoring and market issues. He reminded the Board that the AMFm team would continue to manage co-payments in 2013 while the SIIC works on governance issues for the continuation.
54. In concluding the discussion, the SIIC Chair thanked the Phase 1 pilot countries, RBM and other technical partners, the four original donors, the Secretariat team and manufacturers for bringing 255 million quality-assured ACT treatments to patients in Phase 1 of AMFm. The UK/Australia delegate added that the UK Government, as one of four original donors, was proud of the results achieved and would commit a further 36 million Pounds Sterling to the continuation of AMFm.
55. Decision Point GF/B28/DP6 was adopted unanimously.

Agenda item 6: Appointment of Executive Director

56. On the afternoon of the second meeting day the Board Chair thanked Board Members and Alternates for their respectful, frank and open discussions in Executive Sessions to select one of four exceptional candidates as Executive Director at the end of a long and thorough process.
57. The Board Chair asked for the Board to move to a formal decision on the appointment of the next Executive Director of the Global Fund.

58. The Board adopted *Decision Point GF/B28/DP7* with no opposing votes and with two abstentions.
59. The Board Chair expressed the Board's appreciation to each of the other three candidates – noting the exceptional caliber of the candidates, and the difficult decision that the Board had faced. The Board Chair also confirmed that the Board Leadership, and the Board as a whole, looked forward to working closely with Dr. Mark Dybul upon his commencement of duties in the first quarter of 2013.

Agenda item 7: Resource Mobilization

60. The Head of the Global Fund Resource Mobilization and Donor Relations Division, Dr. Christoph Benn, informed the Board about the mid-term review of the 3rd replenishment cycle (MTR), taking place on the day after the Twenty-Eighth Board Meeting on November 16.
61. He thanked the Swiss government for co-hosting the event including a reception right after the board meeting. The MTR will be chaired by the Vice-Chair of the replenishment Mr. Richard Manning, former Chair of the OECD 'Development Assistance Committee'. He also noted that representatives of 31 donor delegations, including a number of countries not currently represented in the Global Fund donor bloc, would be in attendance. Dr. Benn explained that topics for discussion would include the Global Fund's 2012 results, progress on the transformation process, and new approaches to evaluate impact, increase predictability of funding and forecast demand.
62. Dr. Benn reiterated the importance of the Board's support across donor, implementer, civil society, and private sector constituencies in support of the Global Fund's resource mobilization efforts as it enters its critically important 4th replenishment cycle. He outlined the way forward with donor relationship-building and revitalizing partnerships with the private sector, and thanked the Private Sector constituency for its continued support.
63. He ended by highlighting the Global Fund's wide advocacy networks at all levels and describing key events leading up to the 4th Replenishment pledging conference.

Executive sessions

64. The Board met in Executive Session on four occasions during the Board Meeting, principally to discuss the Executive Director selection process.
65. On the morning of Friday 15 November 2012, the Board Vice Chair reported on the outcome of the Executive Session on the evening of 14 November 2012.
66. The Board Vice Chair read, for the official record of the Board, the unanimous decision of the Board as follows:
 - a. At its 28th Meeting the Board, having reviewed the performance of the Inspector General, decides to terminate the employment of the Inspector General with immediate effect.
 - b. The Board reaffirms the Global Fund's strong and continuing commitment to the highest standards of transparency and accountability.

- c. The Board further reaffirms the Global Fund's commitment to an independent, transparent, well-staffed and sufficiently resourced Office of the Inspector General.
- d. The Board also decides to launch a search process for the next Inspector General.

Other agenda items

- 67. The Focal Point of the West and Central Africa constituency informed the Board that under the leadership of the Board Vice Chair the two African constituencies have developed a governance manual with a framework for more effective engagement in Global Fund governance. He thanked the task force members, the Advisor to the Board Vice Chair, Secretariat staff and sponsors for their contributions to this initiative.
- 68. The Board Chair announced that four decision points would be sent to the Board for electronic vote shortly after the Twenty-Eighth Board Meeting. The package would include decisions on:
 - a. The combined Secretariat and OIG 2013 Operating Expenses Budget as presented in the FOPC's report to the Board;¹⁰
 - b. Strengthening country data systems to measure impact and target investments, as presented in the SIIC's report to the Board;¹¹
 - c. Revised Terms of Reference for the roles of the Board Chair and Vice Chair as part of the governance reform agenda; and
 - d. Extension of grants in South Africa as recommended by the Secretariat.
- 69. The Board Chair announced that the venue for the Twenty-Ninth Board Meeting would be Colombo, Sri Lanka, from 18-19 June 2013, and said that he looked forward to the participation of the General Manager and the presentation of his final report at that meeting.
- 70. The Board Chair then gave the floor to Mr. Shirley Tissera, of the South East Asia constituency, who conveyed his constituency's thanks and pride in hosting the Twenty-Ninth Board Meeting of the Global Fund. Mr. Tissera presented a video on Sri Lanka and invited the Board to visit his beautiful country.
- 71. As the Deputy General Manager, Dr. Debrework Zewdie, returns to the World Bank the Board expressed its recognition of her outstanding services to the Global Fund in her various roles over the years.
- 72. The Board unanimously adopted Decision Point GF/B28/DP8 and gave Dr. Zewdie a standing ovation. In responding, Dr. Zewdie said that she was humbled by this honor, that recent years had been difficult but that she would "do it all over again", and that she felt privileged to leave the Global Fund as a stronger organization.

¹⁰ GF/B28/06. Finance and Operational Performance Committee. Decisions and Recommendations to the Board.

¹¹ GF/B28/9. Strategy, Investment and Impact Committee Decisions and Recommendations to the Board.

Closure

73. In her closing remarks the Board Vice-Chair thanked delegates for their participation in the meeting, recognizing that none of the decisions had been easy, and acknowledging the highly professional support provided by the Advisors to the Board Leadership, the Secretariat's Legal Team and the Board Support Team managed by Ms. Paula Hacopian.
74. The Board Chair joined in thanking everyone for their contributions to a pivotal meeting, with decisions which had brought some crucial issues to conclusion. He congratulated the Board on accommodating controversial views on the AMFm and taking a unanimous decision on the way forward. He said that as the Board has selected a world class leader amongst exceptional candidates as Executive Director, "we can walk away proud", even if it is with some "humility and trepidation" at the huge tasks ahead, with confidence that the organization was well positioned to raise the resources needed in the countries that depend on the Global Fund's support.

This document is part of an internal deliberative process of the Global Fund and as such cannot be made public until after the Board meeting.

Decision Points of the Twenty-Eighth Board Meeting

Decision Point GF/B28/DP1: Appointment of Rapporteur

Jan Paehler from the European Commission constituency (Belgium, Finland, Portugal, Italy and Spain) is designated as Rapporteur for the Twenty-Eighth Board Meeting.

Decision Point GF/B28/DP2: Approval of Agenda

The agenda for the Twenty-Eighth Board Meeting (GF/B28/1) is approved.

Decision Point GF/B28/DP3: Approval of Report of the Twenty-Seventh Board Meeting

The report of the Twenty-Seventh Board Meeting (GF/B28/11) is approved.

Decision Point GF/B28/DP4: Evolving the Funding Model (Part Two)¹

Building on its previous decision *Evolving the Funding Model* (GF/B27/DP7), the Board decides the following:

1. **Allocation Period:** Every three years, aligned with the replenishment cycle, the Secretariat shall (i) identify the amount of resources available for allocation to the Country Bands, and (ii) update the country-specific information required to use the allocation formula described below.
2. **Implementation of Grants:** While the allocation period will be aligned with the replenishment cycle, the planning and implementation of grants will be aligned with country planning cycles. The standard period of Global Fund financing for an applicant will be three years, subject to flexibility where deemed appropriate by the Secretariat².
3. **Establishment of Country Bands:** The Board approves the following approach to determine the composition and structure of Country Bands (groups of countries) for the purposes of allocating resources:
 - a. Principles for Determining Country Bands: The Board approves the following principles for determining Country Bands to ensure focus is placed on countries with the highest disease burden and least ability to pay:
 - i. **Sufficient Critical Mass:** Each Country Band should have a large enough number of countries and sufficient resources to enable flexibility within it;
 - ii. **Logical Coherence within Each band:** As the incentive funding introduces a need for comparison between applications, countries in each Country Band should be roughly comparable;
 - iii. **Bands Should Not Be Disease-Specific:** Each country should only be part of one Country Band; and
 - iv. **Simplicity:** The system of Country Bands should be easy to communicate and implement.
 - b. Composition Criteria for Country Bands: Countries will be allotted to Country Bands based on a composite score generated based on a combination of a country's (i) Gross National Income (GNI) per capita and (ii) disease burden. The principles for these criteria are as follows:
 - i. **Transparency:** The factors for "ability to pay" and disease burden should be objective and use widely accepted and available data;
 - ii. **Proportionality:** To adjust funding to population size, the disease-burden measure should take into account the scale of affected persons (in terms of absolute numbers, not percentages) by the three diseases in each country; and

¹ The Board's decision at the Twenty-Seventh Board Meeting (GF/B27/DP7 represented "Part One" of the Board's decisions on the new funding model in 2012

² Justifications for variations from the three-year standard will be provided to the Board as part of the Secretariat's grant approval requests.

- iii. **Comprehensiveness:** To avoid putting a country in more than one Country Band, the burden metrics for each of the three diseases in a country should be aggregated into a composite disease-burden measure.
 - c. **Number of Country Bands:** Based on these composition criteria, eligible countries³ will be placed in one of four Country Bands based on a combination of: (i) higher or lower disease burden; and (ii) higher or lower income (GNI per capita). One of these Country Bands, corresponding to higher income (GNI per capita) and lower disease burden, will include countries that should finance strategies, projects or plans targeted at most-at-risk populations (MARPs); however, countries in this band with generalized epidemics will not be restricted to MARPs related funding.⁴
 - d. **Revising the Bands:** Prior to each allocation period, the Board may revisit the composition of the Bands, based on recommendations from the SIIC.
- 4. Allocation of Available Funding to Each Country Band:** As outlined in GF/B27/DP7, the Board will undertake, on a regular basis, a strategic allocation of resources to Country Bands, and this will serve as the primary pool for funding grants. Such allocation will be based on a forecast of available resources approved by the Finance and Operational Performance Committee (FOPC). The Board approves the following approach to the allocation methodology and formula:
- a. **Principles for Allocating Funding to Country Bands:** The Board agrees on the following principles for allocating funding to Country Bands:
 - i. **Strategic Focus:** Focus funding on countries with the highest needs and least ability to pay;
 - ii. **Simplicity:** The methodology should be easy to communicate to implementers and other stakeholders;
 - iii. **Transparency:** The allocation methodology should use objective and widely accepted and available data;
 - iv. **Global Reach:** The funding distribution should remain global;
 - v. **Comprehensive Scope:** Taking committed and uncommitted assets into account; and
 - vi. **Flexibility:** The output of the allocation formula is a guiding number, to be adjusted by pre-determined qualitative criteria.
 - b. **Allocation Formula:** The formula for apportioning funding to Country Bands will be based on each country's "ability to pay" (measured by GNI *per capita*) and disease burden. The SIIC will assess the indicators used in the formula prior to each allocation period, and approve changes deemed appropriate. The specific construction of the formula shall follow the principles below:

³ Country eligibility will follow existing criteria approved by the Board in the Policy and Eligibility Criteria, Counterpart Financing Requirements and Prioritization of Proposals for Funding from the Global Fund (<http://www.theglobalfund.org/en/board/meetings/twenty-third/documents>, attachment to GF/B23/14), GF/B25/DP16 and B25/ER/05.

⁴ It is anticipated that some countries will have MARPs-related epidemics for one disease, and not for others.

- i. **Proportionality:** The disease split implied by the allocation formula at the country should be based on each country's share of global disease burden and its ability to pay, applied to each of the three diseases;
 - ii. **Flexibility:** The system should feature flexibility in how to apportion funding between the three diseases and health and community systems strengthening (HCSS) at the country level;
 - iii. **Sensitivity:** Qualitative factors will adjust the initial figures derived from the allocation formula to account for the specific circumstances in each country the allocation formula might not capture; and
 - iv. **Calibrated Eligibility:** Not all countries are eligible for all three diseases, as reflected in current Global Fund policy.
 - c. **Disease Split:** As previously agreed by the Board (GF/B27/DP7), to apportion resources to the Country Bands at the start of each allocation period, the Board will first split the total projected resources for a given allocation period between the three diseases. As the Board previously agreed (GF/B27/DP7), the Secretariat will under the oversight of the SIIC develop a measure that can be used to estimate disease burden and financial demand across all three diseases for approval by the Board no later than September 2013.
 - d. **Apportionment to Country Bands:** After making the global disease split described in GF/B27/DP7, the Board will then apportion to each Band a share of the total funding available for the chosen period. These shares will be calculated by adding up the shares produced by the allocation formula for all of the countries in each Band, adjusted for major sources of external financing and, if necessary, a transitional provision to ensure the Global Fund's financial commitments in some countries do not fall below a minimum required level⁵ over the allocation period. For countries in the band with lower disease burden and higher income, this aggregation of shares will be based on a separate methodology that is currently under development by the Secretariat which recognizes the particular needs of countries in this band including multi-country grants, regional grants, small island states and MARPs. The Secretariat will present this methodology to the SIIC for approval. Although countries' initial funding ranges will be dependent on the outcome of the Global Fund replenishment, countries will be encouraged to apply to the Global Fund for their full quality demand.
 - e. **New Resources:** Any resources that become available during an allocation period in addition to the initially allocated funding can be used by the Secretariat to:
 - (i) increase the amount of funding available in the Country Bands;
 - (ii) fund "unfunded quality demand" (see paragraph 6); or
 - (iii) propose to the SIIC to use some of these resources to fund special initiatives as described in GF/B27/DP7.
- 5. Indicative and Incentive Funding:** As part of its allocation, the Board will divide the total amount of resources allocated to each Country Band into indicative and incentive funding:

⁵ Based on a recommendation from the Secretariat, the FOPC and SIIC, as appropriate, will define this "minimum required level" before the first full allocation period under the new funding model.

- a. Purpose of Indicative Funding: Indicative funding should ensure predictability for applicants, and should defend the Global Fund's aggregate investments in ways that go beyond the Continuity of Essential Services.
- b. Purpose of Incentive Funding: As the Board previously agreed (GF/B27/DP7), a portion of funds will be used to establish a funding stream to incentivize high impact, well-performing programs and the submission of robust, ambitious requests based on national strategic plans or investment cases. The apportionment of funding to this stream will be substantial so as to ensure sufficient funds are available to motivate full expressions of quality demand.
- c. Determining the Division Between Indicative and Incentive Funding: The Board will decide the required resource levels to meet the applicants' prioritized needs through the indicative funding ranges for the allocation period, and apportion to the incentive funding the difference between prioritized needs and the amount of available assets identified at the time of the allocation. In this way, additional resources mobilized during the given replenishment period may be apportioned to incentive funding. Additional principles to guide the division between indicative and incentive funding, including a final definition of prioritized needs, will be approved by the Board at its Twenty-Ninth Meeting, based on recommendations of the SIIC.
- d. Access to Funding: The access to funding process will be based on country dialogue and reviews where the Global Fund is part of joint country-led processes, including within the CCMs and with other relevant partners, and will result in the development of a Concept Note.
 - i. Access to Indicative Funding: The determination of indicative funding ranges will be supplemented by qualitative factors including, but not limited to, the following:
 1. Major sources of external financing;
 2. Minimum funding levels;
 3. Willingness to pay;
 4. Past program performance and absorptive capacity;
 5. Risk; and
 6. Increasing rates of new infections in lower prevalence countries.
 - ii. Access to Incentive Funding: The Secretariat will develop the process and methodology for awarding incentive funding. Prior to the full implementation of the new funding model, the Secretariat will present to the SIIC for approval this methodology, which shall conform to the following principles:
 1. **Ambition**: Additional funding should foster quality expressions of full demand to address the totality of the response to a disease;
 2. **Strategic Focus**: Additional funding should reward robust National Strategies and investment cases, and well-performing programs with a potential for increased, quantifiable impact;

3. **Alignment:** The processes for awarding additional funding should ensure that applicants can access funding aligned to national planning cycles, by avoiding unintended incentives to apply either early or late in an allocation period;
 4. **Sustainability:** Additional funding should leverage contributions from other sources, including domestic budgets;
 5. **Simplicity:** The processes for awarding additional funding must minimize complexity and transaction costs for implementers, and avoid disruptions to grant-making; and
 6. **Co-investment or Willingness to Pay:** Additional funding should also leverage financing from Governments in implementing countries.
6. **Managing Unfunded Quality Demand:** Since quality demand by countries could exceed the level of resources available, the Secretariat will maintain a register of unfunded quality demand. The Global Fund will prioritize this demand for future funding should additional resources become available, as well as invite other donors to finance this demand directly:
- a. Prioritizing and Awarding Financing to Unfunded Quality Demand: The Secretariat will determine how to prioritize and award financing to unfunded quality demand and will present this methodology to the SIIC, as appropriate, for approval prior to the full implementation of the new funding model. This methodology for prioritizing and awarding financing to unfunded quality demand shall conform to the same set of principles as set forth in paragraph 5.d.ii above.

Decision Point GF/B28/DP5: Evolving the Funding Model (Part Three)

Referring to its previous decision *Evolving the Funding Model* (GF/B27/DP7) and GF/B28/DP4, the Board decides to launch the transition to the new funding model immediately by taking the following steps:

1. **Transition to the Full Implementation of the New Funding Model:** The Board decides to invest a portion of currently available uncommitted assets, to be determined by the Finance and Operational Performance Committee (FOPC) before the end of 2012, in a transition phase to test elements of the new funding model.
2. **Participation:**¹⁷ The Secretariat would invite countries to participate in the Transition Phase, considering those that are:
 - a. Significantly “underfunded” over the 2013-2014 period;
 - b. At risk of service interruptions;
 - c. Positioned to achieve rapid impact; and
 - d. Diverse in areas including, but not limited to size, geography, capacity and proposal modalities (including non-CCM and regional applicants), such that lessons learned can be derived from all aspects of the funding model, including funding for underserved and most-at-risk populations (MARPs).¹⁸

The Secretariat will report quarterly to the Strategy, Investment and Impact Committee (SIIC) on the identity of countries participating in the Transition Phase. Countries, including those not invited to participate in the Transition Phase, are nonetheless encouraged to work on developing strong national strategies, reflecting full expressions of demand, and beginning Country Dialogues and iterative processes to encourage Concept Notes to be ready to allow for funding, based on the replenishment, to begin in early 2014.

3. **Disease Split:** As previously agreed by the Board (GF/B27/DP7), to apportion resources to the Country Bands for this transition period, the Board will first split the total projected resources between the three diseases based on the historical distribution of the Global Fund’s portfolio: 52% for HIV, 32% for malaria, and 16% for tuberculosis.
4. **Allocating Funding to Eligible Countries in the Transition Phase:** The Secretariat will determine an indicative funding range for each participating country based on the principles approved by the Board for indicative funding ranges in GF/B28/DP4 as adjusted by qualitative criteria¹⁹ and informed by the extent to which each country is “underfunded”. The SIIC will assess the indicators used in the allocation formula prior to the commencement of the Transition Phase.

¹⁷ Participation in the transition phase will not preclude access to new financing when the new funding model is implemented in full.

¹⁸ For the purposes of the transition to the new funding model, “MARPs” will be defined as subpopulations, applying to HIV/AIDS, malaria and tuberculosis, within a defined and recognized epidemiological context:

- 1) That have significantly higher levels of risk, mortality and/or morbidity;
- 2) Whose access to or uptake of relevant services is significantly lower than the rest of the population; and
- 3) Who are culturally and/or politically disenfranchised and therefore face barriers to gaining access to services.

¹⁹ The qualitative criteria will include external financing, “willingness to pay”, absorptive capacity, performance of current and previous Global Fund grants and risk.

5. Channeling Funding During the Transition Phase: The primary vehicle for investing the additional funding during the transition phase will be existing grants.
6. Use of Concept Note and Incentive Funding in the Transition Phase: A subset of participating countries will receive an invitation to participate in the Concept Note process outlined in GF/B27/DP7, and as such will have an opportunity to access incentive funding in addition to the indicative range amounts per country. The incentive funding available to these countries will be limited to a ceiling established by the Secretariat at the time the transition is launched.
7. Strategic Investment Frameworks, Minimum Standards and Investment Guidance: The guidance package the Secretariat will make available to Country Coordinating Mechanisms (CCMs) in the transition phase will include Strategic Investment Frameworks and Minimum Standards.
8. Independent Technical Review of Funding Requests: To optimize learning, during this transition, the Secretariat and the Technical Review Panel (TRP) will jointly identify entry points for the TRP to review and provide feedback and recommendations on funding requests. As part of the transition to the full implementation of the new funding model, the composition and modalities of the TRP may change from current practice during the transition phase.
9. Board Approval of Investments during the Transition Phase: During the transition phase, the Board will approve electronically the investments negotiated by the Secretariat and recommended by the TRP, on the basis of the Board's "no-objection" process for approving funding decisions for renewals and continuations of existing grants.
10. Existing Policies and Procedures: The Board authorizes the Secretariat, under the oversight of the FOPC and SIIC, to make temporary exceptions to, or apply restrictions contained in, existing policies and procedures to the extent necessary to implement the transition phase of the new funding model.
11. Assessing the Effectiveness of the Transition: The SIIC will have responsibility for assessing the effectiveness of the Transition, based on a monitoring and evaluation plan presented by the Secretariat, in consultation with the Technical Evaluation Reference Group. The SIIC will report to the Board regarding the effectiveness and lessons learned from the Transition.

Decision Point GF/B28/DP6: Integration of the Lessons from the Affordable Medicines Facility – malaria

The Board refers to its decision (GF/B20/DP24) to review the findings of the Independent Evaluation of the Affordable Medicines Facility – malaria (AMFm) Phase 1 and make a recommendation on whether to “expand, accelerate, modify, terminate or suspend the AMFm business line” in pilot countries.

The Board:

1. Notes the findings of the Independent Evaluation (“IE”), as detailed in the Strategy, Investment and Impact Committee (“SIIC”) Report to the Board (GF/B28/04), on the effectiveness of the AMFm in the eight pilot programs and, in particular, notes the results regarding the “upstream” success parameters recommended in 2010 by the Technical Evaluation Reference Group (“TERG”).
2. Recognizes that the successes of the AMFm are due to the co-payment system, consisting of price negotiations with manufacturers and direct co-payments from the Global Fund to manufacturers on behalf of approved first-line buyers, and the use of supporting interventions.
3. Notes that the results of the IE and the TERG’s interpretation of those findings indicate there is sufficient evidence to approve a modified approach to support countries in achieving the Roll Back Malaria targets of universal coverage of malaria treatment if coupled with efforts to improve access to diagnostic testing.
4. Recognizes the importance of ensuring access to affordable diagnostic testing and treatment for malaria and the role of the private sector in delivering this access.
5. Notes the role of the Global Fund in helping to ensure sustainable affordable pricing for health commodities through innovative strategies and initiatives, including through engagement of the private sector.
6. Thanks countries, partners, donors and manufacturers for their participation and support in AMFm.

The Board decides to modify the existing AMFm business line by integrating the lessons learned from the operations and resourcing of Phase 1 of the AMFm into Global Fund grant management and financial processes by:

- a. Requesting the Secretariat to establish and operationalize a co-payment system through which the Global Fund will make direct payments to manufacturers on behalf of in-country buyers and at negotiated prices for countries which request the use of approved grant funds for a private sector subsidy to achieve their malaria case management targets and utilize supporting interventions; and
- b. Acknowledging the need for an assessment by technical partners of the feasibility to include diagnostic testing into the co-payment system, which would inform the operationalization of the co-payment system.

2013 Transition by AMFm Pilot Countries to Full Integration:

The Board:

1. Notes that the integration of a co-payment system into Global Fund grant management and financial processes will mean that, following a responsible Transition, co-payments for anti-malarial drugs will no longer be available through a separate funding mechanism hosted by the Global Fund.
2. Decides that, during the Transition in 2013 to operationalizing the integration of a co-payment system, the pilot countries will have a defined funding allocation to support private sector co-payments, subject to availability of dedicated resources for such payments, and that each country will determine the parameters, such as the use of demand levers, under which that funding is utilized.
3. Requests the Secretariat to report to the FOPC and SIIC prior to the end of 2012 on the outcome of resource mobilization efforts undertaken to finance the co-payments for the Transition.
4. Authorizes the Secretariat to deploy remaining resources from malaria grants in Phase 1 for supporting interventions, which is separate from co-payment funds.

Decision Point GF/B28/DP7: Appointment of the Executive Director

The Board:

1. Selects Mark Dybul to serve as the next Executive Director of the Global Fund for a four-year term beginning on or around 4 February 2013.
2. Requests the Board Chair and Vice-Chair to facilitate the appointment of Mark Dybul to the position of Executive Director.

Decision Point GF/B28/DP8: Recognition of Debrework Zewdie

The Board notes that this meeting will be the last involving participation by Debrework Zewdie as Deputy General Manager.

The Board therefore thanks Debrework for her wonderful service to the Global Fund. In her work as Deputy General Manager and Head of the Strategy, Investment, and Impact Division, she has demonstrated enormous commitment and passion for the mission of the Global Fund. The Board acknowledges the numerous contributions Debrework has made to the organization and, in particular, the Board praises her leadership in reforming the grant renewals process.

The Board wishes Debrework every success in the future as she continues to work towards improving global health.