

37th Board Meeting

Code of Ethical Conduct for Country Coordinating Mechanisms Members

GF/B37/05 – Revision 1

03-04 May 2017, Kigali, Rwanda

Board Information

Purpose of the paper: To present a newly developed Code of Conduct for Country Coordinating Mechanisms to the Board for approval.

Part 1: Decision Point

1. This document does not propose a Decision Point.

Part 2 - Relevant Past Decisions

Relevant past Decision Point	Summary and Impact
<i>GF/B32/DP09: Ethics and Integrity: First Stage Policy Proposals (November 2014)</i>	Approval of the Ethics and Integrity Framework, which lists all Codes of Conduct required for implementing the Framework, including a Code of Ethical Conduct for CCM members.

Part 3 - Action Required by the Board

2. The Board is requested to discuss the attached Code of Ethical Conduct for CCM Members and provide feedback and guidance to the Secretariat in the further development of the Code.

Part 4 - Executive Summary

3. **The Ethics and Integrity Framework calls for a Code of Ethical Conduct for CCMs.** The Global Fund’s Ethics and Integrity Framework¹ (the “E&I Framework”) outlines a list of Codes of Conduct for individuals involved in the key institutions within the Global Fund ecosystem, including members of the Country Coordinating Mechanism (CCM). This paper seeks to propose a code of conduct that will bring CCM members under the same foundational ethical obligations as the remaining entities and individuals in the Global Fund’s ecosystem.
4. **The Proposed Code of Ethical Conduct for CCM Members strengthens the ethical accountabilities for CCMs.** The proposed Code sets a Board-mandated “tone at the top” regarding ethical expectations of CCMs. It concretely articulates how the Global Fund’s values of duty of care, accountability, integrity, and dignity and respect are expected to be translated into appropriate behavior at the CCM level. Moreover, it places concrete obligations on individual CCM Members.
5. **The Proposed Code has been consulted with CCM Members and approved by the EGC.** In developing the proposed Code, the Secretariat invested heavily in consultation and transparency: It brought the Code forward for consultation at meetings with francophone CCMs throughout late 2016, and it made a near-final version available to all CCM Members—including those members who also sit on the Committees and the Board—throughout the months of February on the CCM portal. The EGC agreed to recommend the proposed Code to the Board during its March 2017 meeting, but following further discussion the Code will be presented to the 37th Board for discussion and guidance from Board Members only

Part 5 - Background

¹ The Ethics and Integrity Framework, as approved by the Board in November 2014 under decision point GF/B32/DP09 and as set forth in GF/B32/18 – Revision 1, as may be amended from time to time.

6. **The Ethics and Integrity Framework calls for Code of Conduct for CCMs.** The Global Fund’s Ethics and Integrity Framework² (the “E&I Framework”) states that “the strength of the Global Fund is contained in its values, of which ethics and integrity are integral.” The E&I Framework directs the ethical values of integrity, duty of care, accountability, and dignity and respect to be “fully integrated into the Global Fund’s culture and activities, including its grant programs, and complied with by all entrusted with Global Fund resources and/or responsibilities.” The E&I Framework outlines a list of Codes of Conduct that are to apply to the individuals who comprise the key bodies involved in the Global Fund ecosystem, including the Country Coordinating Mechanism (CCM).
7. **Paper Presents a New Code of Conduct for CCM Members.** This paper proposes a code of conduct that will bring CCM members under the same foundational ethical obligations as the remaining entities and individuals in the Global Fund’s ecosystem.

Part 6 – Discussion

The Need for a Code of Ethical Conduct for CCM Members

8. **CCM integrity is critical to the Global Fund mission.** CCMs are mechanisms for multi-stakeholder coordination and oversight of HIV, Tuberculosis, and Malaria national disease programs. CCMs request financing from the Global Fund on behalf of the country and provide strategic oversight to ensure effective and strategic implementation of the program. An effective CCM is central to the Global Fund’s mission. As the main country-level governance body, the CCM is expected to embody the Global Fund’s principles and values. Ethical, transparent, and responsible decision-making by CCMs is key for program success at the country level.
9. **Existing requirements lay groundwork for ethics in CCMs.** To date, the Global Fund has set ethics standards for CCMs through the Guidelines and Requirements for Country Coordinating Mechanisms (CCM Guidelines). Most notably, the Global Fund presently mandates, monitors, and links the right to submit grant applications to CCMs’ adoption and enforcement of a Conflict of Interest Policy.³ To achieve quality conflict of interest management, the Global Fund has facilitated technical assistance for CCMs since 2013 to develop and implement conflict of interest management practices. The CCM Guidelines also outline and recommend good governance practices including stakeholder engagement, transparency, and oversight. Multiple guidance papers provide further direction.
10. **CCMs are the only institutions in the Global Fund ecosystem without a dedicated Code of Conduct.** While the CCM guidelines lay a solid grounding for ethics in CCMs, they do not compensate for the fact that the CCM is the only institution within the Global Fund ecosystem that does not presently have a dedicated code of conduct for its members and secretariat employees.
11. **Dual functions of Codes of Conduct.** International best practice considers codes of conduct as the principal mechanisms for setting the ethics tone and establishing ethics-related accountabilities in any organization. Codes of Conduct have two functions. First, they define an organization’s ethical culture by delineating behavior that is consistent with the institution’s values. Codes are therefore directed towards individual members of an institution, and they seek

² Id.

³ CCM Guidelines, Eligibility Requirement 6.

to communicate ethical standards in an inspiring tone that sets high ethical ambitions, while also providing simple and concrete instructions on how to achieve them. Equally importantly, Codes of Conduct explicitly define the “do’s” and “don’ts” for which individuals are held accountable. Obligations are clearly stated, prohibited practices are concretely defined, and the enforcement mechanisms with potential consequences of non-compliance are outlined.

- 12. The Proposed Code of Ethical Conduct for CCM Members strengthens the ethical accountabilities for CCMs.** The proposed Code sets a Board-mandated “tone at the top” regarding ethical expectations of CCMs as critical governance bodies within the Global Fund ecosystem. It concretely articulates how the Global Fund’s values of duty of care, accountability, integrity, and dignity and respect are expected to be translated into appropriate behavior at the CCM level. Moreover, it places concrete obligations on individual CCM Members, including to share and reflect information with constituents; responsibly use CCM assets; comply with all relevant policies, especially Conflict of Interest Policies; and to prevent, detect, and respond to fraud and corruption, and report it to the Global Fund.

The Proposed Code of Ethical Conduct for CCM Members

- 13. Consultation process for the proposed Code.** The proposed Code is the collective work product of the Global Fund Ethics Office and the CCM Hub, with extensive input from the Legal Department and the Office of the Inspector General. In addition, the proposed Code was presented for consultation with several Fund Portfolio Managers, Grant Management Solutions (a technical assistance partner with extensive experience supporting and working with CCMs), 45 CCM Members invited to the francophone CCM Regional Workshop in December 2016 in Dakar. A late draft was also made available to all CCM Members in English through an on-line portal for a period of 2 weeks in February to provide a transparent and inclusive opportunity for comment. The EGC was presented with a late draft in early February. Comments received from all of the above stakeholders are incorporated into the final version of this proposed Code.
- 14. Proposed Code is based on Code for Governance Officials.** The substance of the proposed Code is based on and consistent with the existing codes of conducts currently in force in relation to other parties in the Global Fund. Recognizing that the CCM functions as an in-country governance body for Global Fund grants, the substance of the proposed Code is principally based on the substantive elements of the Global Fund Code of Ethical Conduct for Governance Officials.
- 15. Proposed Code is consistent with Board Policies.** The proposed Code is also made consistent with the proposed Global Fund Policy on Combatting Fraud and Corruption, which is presently being reviewed by the relevant Committees, as well as with the Global Fund Whistleblowing Policy.⁴
- 16. Communications format of the proposed Code.** The proposed Code departs from the contract-like format of existing Global Fund codes of conduct in order to achieve its objective of reaching individuals with its normative and actionable messages. The Code is therefore modelled on best practice codes in the private sector, as a handbook. Legal definitions and requirements will be included in the CCM Guidelines upon Code approval.

⁴ Whistleblowing Policy and Procedures for the Global Fund to Fight AIDS, Tuberculosis, and Malaria (the “Whistleblowing Policy”). As adopted at the Thirteenth Board meeting (Document GF/B13/6) and amended at the Twenty-Third Board meeting (Decision Point GF/B23/DP19) and at the Thirtieth Board meeting (Decision Point GF/B30/DP4), and may be amended from time to time.

Operationalization and Enforcement

17. **Operationalization.** Upon the Board’s approval of the proposed Code after the 37th Board Meeting, the Global Fund will turn to adjusting Eligibility Requirement (ER) 6 of the CCM Guidelines to incorporate a mandatory and monitorable requirement that CCMs introduce and enforce the proposed Code, including through certifications and CCM minutes registering engagement in Code-related matters. Consequently CCM enforcement of the Code will become a condition for access to Global Fund financing, and CCM Members’ adherence to the expectations set in the proposed Code will inform the Global Fund’s appraisal of overall CCM performance, for purposes of setting the CCM secretariat’s budget. Furthermore, key mandatory elements of the Code, such as the duty to report Prohibited Practices, will be re-iterated in the Guidelines with the formal legal definitions for Prohibited Practices (as defined in the Proposed Global Fund Policy to Combat Fraud and Corruption) will be added as an annex to the Guidelines. The substantive requirements of the proposed Code and the CCM Guidelines will therefore be made mutually consistent and reinforcing.
18. **Enforcement.** CCMs are self-governing, multi-stakeholder entities and individual members function like elected officials. Therefore, the primary responsibility to adopt and enforce the proposed Code will rest with the CCMs themselves. The Global Fund will (1) mandate the adoption and enforcement of the Code through the Global Fund’s Eligibility Requirements Framework, (2) facilitate trainings on the Code, (3) evaluate the CCMs on how they, as institutions, manage their members’ compliance with the Code, and (4) lend support where needed to ensure that CCMs take the proper remedial action vis-à-vis individual members. Evidence of non-respect of the Code of Ethical Conduct might trigger the ineligibility of the CCM, which in its turn will trigger the suspension of CCM funding and impossibility to submit a funding request, until the moment where the CCM will take the measures that the Global Fund considers to be adequate.
19. **Training and communication.** Once the proposed Code and CCM Guidelines are formally approved, the Global Fund will initiate a comprehensive training and communications effort, followed by mandatory certification by each CCM Member, to roll the proposed Code out to all CCMs throughout the remainder of 2017. The training and communications effort will be jointly undertaken by the Ethics Office and the CCM Hub and will focus not only on introducing CCM Members to the Code itself, but more importantly on engaging CCM Members in a rich discussion on (1) the value and meaning of ethical conduct, thereby driving attitude change, (2) the skills required to identify ethical challenges, evaluate ethical dilemmas and respond appropriately, thereby empowering action, (3) the concepts and consequences required to comply with the Code, thereby facilitating compliance with ethics and integrity requirements. Trainings will be conducted in person, taking advantage of regional CCM meetings, as well as through on-line training platforms which will enable testing for comprehension. Meanwhile, the CCM Hub will initiate monitoring of compliance, although enforcement of consequences to non-compliance will only begin once the proposed Code is fully distributed and the entire CCM membership is trained. By 2018, roll-out of the Code will be complete and the Global Fund will pursue its regular monitoring and enforcement roles.
20. **Budgetary Implications.** Costs associated with the proposed Code’s implementation will be mainstreamed in to the CCM Hub’s activities, with support from the Ethics Office’s budget for training. The Secretariat welcomes partners to support the roll out of the proposed Code consistently with ongoing technical assistance support extended to CCMs.

Part 7 – Risk Assessment

21. **Risks to non-approval of the proposed Code.** The stakeholder-based nature of CCM inherently exposes its members to perverse incentives that may result in unethical decisions in relation to grant applications and grant implementation. This may have serious consequences for the Global Fund’s mission of eliminating the three diseases. Furthermore, as the lead Global-Fund governance officials at country level, CCM Members’ conduct directly reflects onto the Global Fund. It is therefore paramount that CCM Members function as role models for the public health systems in their respective countries. A code of conduct is a necessary foundation that sets clear expectations and accountabilities in this realm. Non-approval of the proposed Code maintains the risk of unethical behavior at a level that is inconsistent with the Board’s commitment to integrity and its zero tolerance stance on fraud and corruption.
22. **Risks to proposed Code implementation.** The primary challenge for any code of conduct is its enforceability, which is critical to transforming the Code from a document into a cultural practice.
- The level of CCM buy-in and comprehension of the Code’s requirements may be a challenge, given the context of the reality that CCM members represent constituencies, comprise grant implementers, and even define ethics according to their local values systems. The Global Fund’s operationalization and enforcement arrangements, along with the training and communication plan, seek to mitigate this risk.
 - Identification of when and to what extent the Code has been violated will depend heavily on CCM members abiding by their duty to report and escalating their concerns, suspicions and knowledge of violations to the Global Fund, as well as on Global Fund staff alerting the CCM Hub, the Ethics Office, and the OIG about such matters. This risk will be mitigated through CCM and Global Fund staff training, the availability of multiple reporting channels (including confidential and anonymous options) and the fact that the Global Fund considers failure to report to constitute obstruction.
 - Triggering appropriate remedial action in response to a Code violation may be a challenge. Several clear mechanisms are put in place up front to mitigate this risk: First, Eligibility Requirement 6 in the CCM Guidelines will be adjusted to communicate a high standard of integrity, thus setting the expectation that even minor departures from the proposed Code may trigger remedial action (albeit proportionally to the violation). Second, the Code makes clear through the use of consistent language which provisions are “required” (and thereby mandatory for purposes of CCM eligibility) and which are “expected” (and thereby incorporated into evaluations of the CCM for purposes of Secretariat funding). Finally, the Code calls for CCMs to enforce the Code’s provisions proportionally, fairly, and in consideration of due process.
 - The Global Fund must be able to enforce the Code openly and on a regular basis or the Code will risk losing its functional purpose. The Global Fund will require active support from the Board and its Committees in cases of Code violations which might escalate to their attention.

Part 8 - Recommendation

23. In closing, the Board is requested to review the Code set forth in Annex 1 and provide further feedback and input to the Secretariat.

**ANNEX 1. Code of Ethical Conduct for CCM
Members - *draft***

**My Code
My Responsibility**

Code of Ethical Conduct for Country Coordinating Mechanism
Members

2017

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Country Coordinating Mechanism Members' Duties

This Code of Conduct outlines how individual CCM Members (including Regional Coordinating Mechanisms, Alternates, and CCM Secretariat employees) should perform their duties, which are outlined in the Guidelines and Requirements for CCMs and internal CCM policies. CCM Members are **required** to:

- Read, be familiar and comply with this Code
- Certify, upon the Global Fund's request, commitment to act in line with this Code in their roles as CCM Members
- Act ethically and as positive role models in the context of their membership on the CCM
- Support anyone who raises concerns about violations of this Code or the CCM Guidelines
- Raise questions and concerns if they become aware of possible violations of CCM Guidelines, CCM Policies, this Code, or any integrity-related laws.

This Code of Conduct expects CCM Members to:

- **Act consistently with their duty of care**
- **Act accountably**
- **Act with integrity**
- **Act with dignity & respect**
- **Speak out**

CCM Chair, Executive & Ethics Committee Responsibilities

- Encourage CCM Members to know the Code and all other governing documents: (CCM Guidelines, CCM Conflict of Interest Policy and CCM Bylaws)
- Ensure that CCM members receive the Code and the CCM Conflict of Interest Policy, read them, and ensure the policies' enforcement consistently and fairly
- Make sure no one is punished or hurt for raising Code-related concerns or questions
- Create a respectful and inclusive CCM environment with active and effective contributions by all members and with transparent and equitable decision-making

CCM Secretariat Employees

CCM employees are **required** to provide timely, professional, and transparent support to all members of the CCM, including responsible management of information, budgets, and CCM meeting minutes.

If CCM Members have a question about how to abide by this Code, or if they have a concern or suspicion that others may not be abiding by this Code, they are **required** to actively uphold the Code by speaking out:

- Where possible, raising the matter within the CCM.
- In parallel, alerting the Global Fund.

The Global Fund will not tolerate any form of retaliation against those who act consistently with this Code and speak out.

The CCM – A Unique Forum for Advancing Public Health

CCMs are mechanisms for public-private partnership in the governance of HIV, Tuberculosis, and Malaria national disease programs. CCMs request financing from the Global Fund on behalf of the country and provide strategic oversight to ensure effective and strategic implementation of the program.

An effective CCM is central to the Global Fund’s mission of “investing the world’s money to end AIDS, tuberculosis and malaria.” It is a unique country-level forum that brings together actors from all sectors, including affected populations, and other public health fora (e.g., for health system strengthening) to achieve the vision of a world free from the burden of these three diseases.

The Global Fund model is founded on certain principles, underpinned by a series of ethical values:

Global Fund Principles

Country Ownership
Partnership
Transparency
Performance Based Funding

Global Fund Ethical Values

Duty of Care
Accountability
Integrity
Dignity and Respect

As the main governance body charged with securing Global Fund financing and overseeing program success, the CCM is expected to embody the same principles and values. Ethical, transparent, and responsible decision-making by CCMs is key for program success at country level.

Code Enforcement

This Code is incorporated as a component of Eligibility Requirement 6 of the Guidelines and Requirements for Country Coordinating Mechanisms. Consequently, the Global Fund will monitor CCM’s enforcement of this Code as a condition for access to Global Fund financing, and CCM Members’ adherence to the expectations set in this Code will inform the Global Fund’s appraisal of overall CCM performance.

The CCM is **required** to enforce individual member compliance with this Code, while ensuring fairness and due process. Consequences should be proportional and may include removal from decisions, leadership roles, or the CCM.

CCM Members' Values

Duty of Care

CCM Members' duty of care is first and foremost to people living with, affected, or at risk of contracting AIDS/HIV, Malaria, and Tuberculosis.

CCM Members' obligations towards their constituency and stakeholders are expected to support, not undermine, this broader public health interest to end the epidemics.

CCM Members are expected to ensure that Global Fund resources are used efficiently and wisely to achieve maximum impact by:

- Submitting funding requests that are designed to propose the most effective mix of interventions, including most effectively targeting key populations, as aligned with the National Strategic Plan/Investment Case
- Ensuring that implementers and systems are capable of implementing the grant
- Overseeing effective and timely implementation of grants with careful and appropriate use of resources in order to attain or surpass anticipated results
- Speaking out if the above activities are not happening

Accountability

CCM Members are accountable to the people they represent, and as a group, the CCM is also accountable to the mission of ending the epidemics within its country.

CCM Members are therefore expected to:

Be transparent

Prepare and actively participate in the CCM

Be responsible stewards of CCM assets

Manage information responsibly

Transparency

Since the CCM is a public body representing public health and stakeholder interests, CCM Members need to be open with the public, especially with those they represent, and to represent their constituents' views at the CCM. CCM Members are therefore **required** to:

- Share received information with constituents early enough and with enough detail to enable constructive feedback in time to influence a decision
- Collect and reflect constituents' views and concerns at CCM meetings, while retaining the duty of care to the broader public health interest
- Update constituents on CCM decisions, in particular when constituents provided input

Preparation and Active Participation

CCM Members are expected to take their role on the CCM seriously:

- Regularly attend CCM meetings on time
- Prepare for meetings by reading background material and by fulfilling commitments made in prior meetings
- Ensure CCM decisions are properly documented
- Cooperate fully with the implementers and the Global Fund

CCM Members are **required** to actively hold implementers accountable by engaging in grant oversight, including by:

- Proactively making field visits and attending disease-related meetings
- Contributing feedback from constituencies on access, quality, and equity of grant sponsored services
- Participating in analysis of grant results and investigation of problems through dialogue with the implementers
- Contributing to efforts to solve problems which surpass the authority or capacity of the implementers
- Proactively identifying ways to improve the CCM's work

Responsible use of CCM assets

The funds, office space, equipment, and transport offered to the CCM is intended to ensure that the CCM is fully functional. CCM Members are stewards of these assets, so they are **required**:

- Not to use CCM assets for personal or needs unrelated to CCM activities
- To ensure the assets are not damaged, misused, or lost
- To speak out if they are concerned that assets are being inappropriately used

Responsible Information Management

CCM Members are expected to balance transparency with confidentiality. They do this by:

- Not sharing information that the CCM or Global Fund formally determine is confidential
- When information is not confidential, ensuring that it is made available to constituencies and the public
- Ensuring other CCM Members know and follow the rules on confidentiality
- Responsibly using and protecting computer IDs and passwords
- Remaining vigilant against cyber-attacks and scams and reporting them immediately to CCM leadership

Integrity

*CCM Members are expected to act with
Impartiality,
Truthfulness and Accuracy,
Fairness and Consistency, and
Honesty.*

*As CCM Members make decisions, they are expected to
prioritize the best interests of the populations affected by the
three diseases.*

Impartiality and Avoiding Conflicts of Interest

CCM Members have important connections outside of their role on the CCM, such as:

- Other roles in other organizations
- Responsibilities towards friends and family
- Membership in a political party or government
- Owning a company or NGO, or sitting on boards of directors

CCM Members also may be offered or seek to offer gifts, including benefits, travel costs and honours outside of their roles as a CCM Members.

These connections or gifts could create the impression of influence on CCM Members in:

- Making decisions that are not in the best interest of public health needs
- Inappropriately using CCM time or resources
- Sharing confidential CCM information
- Violating policies or integrity-related laws (such as anti-fraud or corruption laws)

CCM Members are expected to avoid perceived, potential, and real conflict of interest of this kind, CCM Members are **required** to comply with their Conflict of Interest Policy. In line with this policy, CCM Members **must**:

- Immediately disclose to the CCM any potential or actual conflict of interests
- Periodically declare conflicts of interests affecting anyone on the CCM
- Not accept or give gifts in connection with their CCM Member role

In the case of a conflict or the perception of one, CCM Members are **required** to follow the CCM Conflict of Interest Policy, including by:

- Recusing themselves from discussions, decisions, and voting where there is a conflict of interest, including decisions related to oversight and selecting or financing of implementers
- Speaking out if they are worried that a CCM colleague has connections and is not disclosing them or managing them properly

Truthfulness and Accuracy

Important public health investment decisions are made on the basis of information and data such as:

- The nature and size of the disease burden
- The nature and scale of impact of interventions
- The nature and type of barriers to accessing health services for most affected and marginalized populations
- The pace and quality of program implementation
- The costs of interventions
- The reliability and quality of public health systems
- The reliability and quality of implementers

Therefore, CCM Members are expected to ensure that this information is accurately and completely reported and used. CCM Members are also **required** to speak out if they have concerns that data or information is influenced by unintentional or intentional errors such as manipulation, inflation, miscounting, incomplete, or incorrect statements.

Fairness & Consistency

CCM Members are **required** to abide by and apply Global Fund and CCM rules, guidelines, codes or polices fairly and consistently. If a CCM Member has concerns that CCM rules, guidelines, codes or polices are not being followed, s/he has a **duty** to speak out.

Relevant Global Fund Policies for CCMs

Reference Document	Provides Guidance on:
Guidelines and Requirements for CCMs*	<ul style="list-style-type: none"> • The role and core functions of CCMs and their membership • The six requirements for CCM funding eligibility • Good governance principles and practice • The process for reviewing CCM performance • Technical and financial assistance available to CCMs • Standards which the Global Fund considers vital for effective CCM performance, and recommendations based on good practice
The Code of Conduct for Recipients**	<ul style="list-style-type: none"> • The principles and standards of conduct for all recipients of Global Fund grants
The Policy on Ethics and Conflict of Interest**	<ul style="list-style-type: none"> • Identification of actual or potential conflicts of interest • The responsibility to disclose actual or potential conflicts of interest, and the procedure for addressing such conflicts
The Whistle-Blowing Policy and Procedures**	<ul style="list-style-type: none"> • The Global Fund's confidential procedures for reporting possible misconduct or irregularities so that appropriate remedial action can be taken
CCM Funding Policy*** Guidelines for CCM Funding*** CCM Funding Step-by-Step Guide***	<ul style="list-style-type: none"> • Instructions on how to apply for CCM funding from the Global Fund, the eligible uses of CCM funding, and how expenditures should be tracked by CCMs
<p>* Accessible at http://www.theglobalfund.org/en/ccm/guidelines/ ** Accessible at http://www.theglobalfund.org/en/governance/ *** Accessible at http://www.theglobalfund.org/en/ccm/funding/</p>	

Honesty

CCM Members must guard against misuse of resources, fraud and corruption and, in particular, comply with the Global Fund Policy to Combat Fraud and Corruption. They must not tolerate or take part in any arrangements to divert, falsely report, or use Global Fund funds, assets, or data for anything other than the intended purpose, especially not for personal, criminal or political purposes. CCM Members are **required** to support efforts that:

- **Prevent corruption:** Make sure Global Fund funds are used properly
- **Detect corruption:** Actively condemn if others engage in corruption
- **Stand up to corruption:** Speak out when they have a suspicion of corruption

The Global Fund prohibits and addresses all forms of fraud and corruption.

The Global Fund's Policy to Combat Fraud and Corruption outlines specific "Prohibited Practices" which all CCM Members are **required** to prevent, detect, and report.

The following practices are prohibited:

- **Corrupt Practices:** Bribes, kickbacks, and influencing decisions in exchange for favors
- **Fraudulent Practices:** Lying about use of funds or information used to make funding decisions
- **Coercive Practices:** Intimidating or threatening someone to improperly influence them
- **Collusive Practices:** Whenever two or more collaborate to carry out Prohibited Practices
- **Abusive Practices:** Theft, embezzlement, or intentional waste
- **Obstructive Practices:** Failing to report Prohibited Practices to the Global Fund despite suspicion or knowledge, or blocking the Global Fund from finding evidence of Prohibited Practices
- **Retaliation:** Harming or seeking to harm anyone who either refuses to engage in Prohibited Practices or in good faith reports it.
- **Money Laundering:** Managing or moving funds that are connected to criminal activity
- **Financing of Terrorism:** Managing or moving funds that are intended to finance terrorism

Dignity & Respect

Members of the CCM treat people with dignity and respect by Upholding the dignity of beneficiaries, and Respecting colleagues.

Ensuring respect for human rights, including non-discrimination

CCM Members are **required** to ensure that programs financed by the Global Fund are designed to promote dignity, respect and empowerment of people and communities affected by HIV/AIDS, Tuberculosis and Malaria, as well as poor and vulnerable segment populations, especially if they may suffer from stigma or marginalization.

Ensuring an atmosphere of mutual respect

In interactions with fellow CCM Members, Implementers, and Global Fund staff, CCM Members are expected to maintain an enabling environment guided by mutual respect.

CCM Members are therefore expected to practice and promote respectful deliberations, decision-making, and social interactions in all CCM-related settings. They are expected to treat colleagues with courtesy and respect, without harassment, or physical or verbal abuse, and not exert undue influence on their activities. They are expected to ensure that the debates reserve sufficient time for all to speak, and that decisions are made after thorough consideration of the views expressed by all CCM Members.

Speaking Out

What does it mean to speak out?

In its most general form, to speak out means to raise questions, concerns, or share knowledge of situations where this Code or other policies are not being adequately upheld. CCM Members are encouraged to support one another and hold one another accountable by proactively discussing whether their decision-making and behaviour are consistent with this Code. If initial efforts yield insufficient change, CCM Members are **required** to raise their concerns more formally within the CCM governance structure as well as with the Global Fund.

Can speaking out help?

By speaking out, CCM Members give others the chance to take action and to support them:

- **Asking for clarifications or advice** increases a member's chances of doing the right thing.
- **Pointing out** behavior that is inconsistent with this Code may influence the behavior of colleagues.
- **Raising the matter formally** to the CCM allows the CCM to respond appropriately and to strengthen the ethical culture of the CCM.
- **Escalating** the matter to the Global Fund allows for:
 - Receiving confidential advice from the Ethics Officer or the OIG
 - Protection of the speaker's identity
 - Global Fund intervention at an operational level
 - A fact finding exercise to be undertaken
 - If appropriate, penalties to be initiated
 - If appropriate, law enforcement to be informed

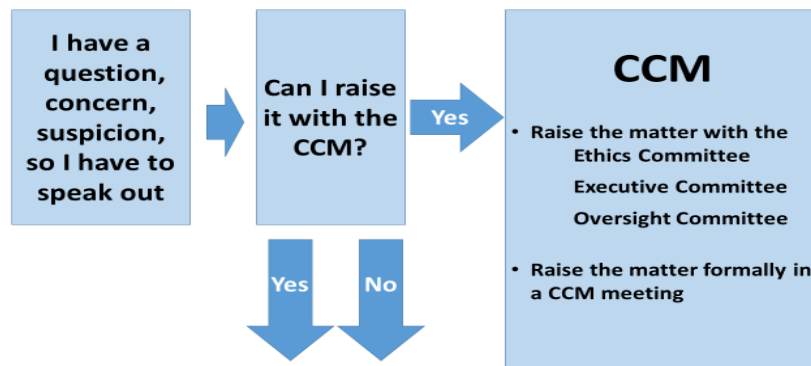
CCM Members have a duty to report.

The CCM as a body is **required** to immediately report suspicion or knowledge of all forms of fraud and corruption (defined as Prohibited Practices) to the Global Fund. Therefore, if a CCM Member has suspicion or knowledge of Prohibited Practices in Global Fund activities, s/he also has a **duty** to report this information, either through formal CCM channels, or directly to the Global Fund. Note that failure to report suspicion or knowledge of prohibited practices is itself the prohibited practice of "obstruction."

The Global Fund has made confidential and/or anonymous reporting and advisory services available to CCM Members through the channels described in the schematic below. Under the Global Fund's Whistleblowing Policy, those reporting any wrongdoing to the OIG may do so anonymously or confidentially and the Global Fund maintains processes to prevent, detect, and respond to any retaliation against reporting.

How can I report or seek confidential advice?

Speaking out takes courage and strength of character, so your decision to take action is greatly appreciated and will be acted on with respect and sensitivity to your personal security.



The Global Fund

For General Advice

- Your FPM
- CCM Hub ccm@theglobalfund.org

For Confidential Advice:

- Ethics Officer
ethics@theglobalfund.org

To Report Wrongdoing:



Confidential OIG hotline:
<http://www.ispeakoutnow.org>
 +1 704 541 6918 (free service)

Here are the practical steps:

- You have **multiple channels** of speaking up available within the CCM, whether it be with a fellow member, a committee chair or vice chair, or a member of the Executive Committee or the CCM Secretariat. You might also consider contacting the Local Fund Agent. Please reach out to the channel you are most comfortable with.
- You are **required** to report directly to the Global Fund (1) if you have a suspicion or knowledge of Prohibited Practices; (2) if you cannot speak out within the CCM, or (3) if your efforts to date have resulted in inadequate response. You may contact various channels within the Global Fund Secretariat, such as the Country Team, the FPM, the CCM Hub, the Ethics Officer. You may also contact the Office of the Inspector General, if you prefer. Please reach out to the channel you are most comfortable with.
- If you have **concerns about retaliation** or fear for your personal or family's safety for speaking out, do so confidentially (e.g., to the Global Fund Ethics Officer) or through the Global Fund's "I Speak Out Now" hotline, where you can report confidentially, anonymously, or claim whistleblower status.
- Any time you speak with someone, **provide details:**
 - ✓ What happened? ✓ Names of everyone involved
 - ✓ Where? ✓ Why is this a problem?
 - ✓ When? ✓ Other information
- **If possible, keep written records of what you said to who, when and the responses you got.** This will allow you to demonstrate you held up your duty to report.
- **Don't stop** speaking up: If the problem continues or repeats, speak to another channel.

