

**Strategic Framework for Collaboration
between the Global Fund to Fight AIDS, Tuberculosis and Malaria
and the World Health Organization**

11 October 2018

Preamble

The World Health Organization and the Global Fund to Fight AIDS, Tuberculosis and Malaria (the “Parties”) share a common commitment to Universal Health Coverage (UHC) and the Sustainable Development Goals (SDGs). The *Global Action Plan for Healthy Lives and Well-being for All* represents a key mechanism through which WHO, the Global Fund and other partners are coordinating their efforts in support of UHC, based on their respective mandates and strengths. The enhanced collaboration between WHO and the Global Fund in support of UHC builds upon the long and successful history the Parties share in working together in supporting countries to scale up HIV, tuberculosis (TB) and malaria interventions and strengthen resilient and sustainable systems for health. The collaborative effort between WHO and the Global Fund, along with many other partners, has helped countries achieve unprecedented reductions in the burdens of HIV, TB and malaria worldwide, saving millions of lives since the Global Fund’s inception in 2002.

WHO is the specialized agency of the United Nations for health, responsible to direct and coordinate international health, including communicable and non-communicable disease control, health systems, environmental health, climate change and health, and health emergency risk management, including preparedness, surveillance, and response. Accordingly, WHO provides leadership on global health matters, sets health norms and standards, monitors and assesses global health trends and risks, shapes related research agendas, articulates evidence-based policy options, and provides technical support to countries.

The **Global Fund** is a partnership between governments, civil society, the private sector and people affected by the diseases whose mission is to attract, leverage and invest additional resources to end HIV, TB and malaria and support the attainment of the SDGs. From the time of its founding in 2002 until the end of 2008, the Global Fund was hosted by WHO - this enabled the Global Fund to start operations quickly and to fund programs delivering lifesaving services less than a year after it was established. The Global Fund raises and invests nearly US\$4 billion a year to support programs run by local experts and leaders in countries and communities most in need.

This Strategic Framework for Collaboration (this Framework) serves as the foundation that will guide the next stage of collaboration between the two institutions in support of UHC and the SDGs.

1. Scope and Objectives

This Framework is intended to address the overall objectives of collaboration between the Parties and associated actions to achieve them. The Parties enter into this Framework in respect of their mandates, structures and governance.

This Framework operates at a broad strategic level and does not include any financial transactions for specific projects, and nothing in this Framework will be construed as creating any form of legally binding commitment between the Parties. This Framework does not represent a commitment of funds on the part of either Party, and any collaborative project or activity with financial contribution is subject to a separate agreement between the Parties.

This Framework is designed to improve collaboration and communication between WHO and the Global Fund in support of country, regional and global responses on a wide spectrum of policy, technical and programmatic areas to combat HIV, TB and malaria and the effort to support countries in

building resilient and sustainable systems for health (RSSH), improve reproductive, maternal and newborn, child and adolescent health (RMNCAH) and address wider determinants of health.

In alignment with the Global Fund strategy (2017-2022) and WHO General Programme of Work towards the achievement of Universal Health Coverage, sustainable health financing, and the Sustainable Development Goals, this Framework is intended to:

- Guide and strengthen the institutional relationships between the Global Fund and WHO at headquarters, regional and country levels with respect to organizational mandates, structures, governance and processes to focus on outcomes, and deliver impact and results at country level;
- Strengthen mutual accountability between WHO and the Global Fund to effectively support countries;
- Facilitate WHO and Global Fund actions to support countries to deliver effective, efficient and quality interventions equitably; and
- Reduce transaction costs, streamline negotiations and serve as a foundation for the subsequent development of joint regional specific collaborative frameworks to improve country level impact and future project/funding agreements as and when agreed between the Parties.

2. Principles

The Parties enter into this Framework cognizant of, and pursuant to, the following principles, which will govern all engagement between the organizations:

Country focus and leadership

All actions that will be taken under this Framework will be driven by country focus and achieving impact at country level. This principle recognizes that countries have responsibilities to determine what support is needed in the implementation of their national plans to improve performance and achieve impact.

WHO and the Global Fund are and will continue working together within their respective mandates to align support to country-led processes in the development, implementation and monitoring of national HIV, TB and malaria strategies and efforts to build resilient and sustainable systems for health, including community-led responses.

Gender and human rights

WHO and the Global Fund reiterate their respective institutional commitments to take into account and address the structural, societal, economic and cultural factors involved in gender-based exclusion and discrimination, including other intersectional drivers of inequality and jointly advocate for universal access to prevention, treatment and care as a basic human right including for key and vulnerable populations, including migrants, refugees and IDPs, disproportionately impacted by the three diseases. Efforts under this agreement will be made to: identify which populations are not accessing health and wellbeing services and why; strengthen programs and systems to address barriers to access, availability, acceptability, quality; and address demand-side barriers, gender inequalities and discrimination through participation and empowerment.

Respect for each other's mandate

WHO and the Global Fund recognize that their mandates and roles differ in important ways that are complementary and synergistic. Therefore, it is critical to work closely together and with flexibility to ensure that strategic investments made by the Global Fund are closely informed by normative guidance defined by WHO, and that trade-offs or challenges encountered are discussed and addressed between the two agencies in a proactive and collaborative manner.

Evidence-based

The implementation of this Framework and all technical guidance to countries will be based on the best available data and evidence to support optimized program performance and impact at country level. A critical component of this Framework is to assist the Parties to ensure that evidence-based recommendations are tailored and adapted to each country-specific context and focused on impact.

The Framework also recognizes that many countries and funders need to make trade-off decisions when needs are greater than resources available - in such cases evidence-based prioritization of interventions is critical. In these circumstances, the Parties commit to working together to ensure that guidance to countries and funding decisions are informed by data and evidence to the greatest extent possible.

Alignment within and between agencies

This Framework will stimulate strong vertical and horizontal collaboration across all WHO levels and the Global Fund. Streamlined communication between different levels and teams coordinated through established network of focal points and other mechanisms will be utilized in order to promote alignment in key technical areas and to aim to speak with one voice, in particular at country level.

Recognition of the wider health ecosystem

Both WHO and the Global Fund recognize that while WHO's main counterpart at country level is the Ministry of Health, engagement with a broader set of stakeholders and institutions and nurturing cross- and inter-sectoral collaboration (e.g. with the Health, Education, Social Protection, Finance sectors) is key to addressing wider determinants of health and achieving impact in the SDG era.

As appropriate to country context, WHO and the Global Fund will support each other in strengthening community systems and responses and engagement with relevant state institutions and non-state actors and key stakeholders at country level, including community groups and the private sector, bilateral donors as well as populations that are marginalised and vulnerable. The Parties aim to optimize coordination between themselves and other actors to minimize duplication and overlap of activities and maximize complementarity and synergy in support of countries.

Financing and resource mobilization

WHO and the Global Fund recognize that adequate financing for both agencies is critical to deliver on their respective missions and mandates, which are highly synergistic and complementary. Each is strongly supportive of the other's efforts to mobilize resources to meet their respective funding needs. This includes strong commitment by WHO to support Global Fund replenishment efforts and strong commitment by the Global Fund to support WHO's ongoing efforts to raise financing for its core work from Member States and other funders. WHO and the Global Fund also recognize the critical role that domestic financing plays for driving progress toward the SDGs and are committed to collaborating in support of the scale up of domestic financing for health.

Transparency and accountability

Transparency is foundational to strong mutual accountability. With the aim to improve impact at country level, the Global Fund and WHO commit to being transparent with each other, with countries and with other development partners. This entails ensuring clear and effective communication, transparency in decision making and sharing of relevant data and information, including visibility on available resources.

3. Areas of collaboration

With due regard to respective mandates and in furtherance of national health priorities set by countries, the Parties agree that the following represent key areas of collaboration. This list is not exhaustive and should not be taken to exclude or replace other areas of collaboration between the Parties on other issues of common interest, as may be developed over time.

- Uptake of, and reliance on, WHO normative guidance, with tools and innovation focusing on adaptation to country contexts and effective operationalization;
- WHO strategic advice and guidance for Global Fund policies and investments for the three diseases, RSSH, UHC, Global Health Security, emergencies, countries in challenging operating and fragile environments, sustainability and transition and other issues as relevant;
- Supporting the development and implementation of the accelerators articulated under the *Global Action Plan for Healthy Lives and Well-being for All* ;
- Engagement of Global Fund in WHO programmatic discussions and forums where appropriate;
- Convening and exchanging information/experience including through regional approaches and through South-to-South collaboration;
- Advocacy, health leadership, policy dialogue and governance;
- Alignment and mobilization of domestic and global financing with a particular focus on sustainable financing for transitioning countries;
- Ensuring the effective engagement of civil society, including affected communities;
- Deepening our understanding and effectiveness on gender issues relating to health;
- Identifying and addressing human rights barriers to health;
- Supporting effective and appropriate engagement of the private sector in the achievement of SDG3;
- Addressing barriers to innovation, with the objective of promoting affordable access to medicines;
- Prequalification and quality assurance of health products;
- Enhancing the quality and timeliness of information flows and reporting of data and estimates related to health financing, service coverage and health outcomes;
- Support and capacity building to individual countries and regional entities as relevant on:
 - Policy, technical and programmatic issues, including sustainability, transition and operationalization of strategies and policies based on country context, consistent with WHO General Programme of Work and Global Fund strategic priorities;
 - Evidence based country funding requests and grant making;
 - Development of relevant national strategic plans and investment cases, including costing, allocative efficiency analysis and national accounts;
 - Program implementation and service delivery, implementation research, and improvement of quality and efficiency of service delivery;
 - Joint missions focused on key opportunities to improve impact and coordinated technical assistance;
 - Country regulations for ensuring access to efficient and quality health technologies and products (including medicines, diagnostics, vector control products, medical devices, etc);
 - Strengthening, pharmacovigilance systems, post marketing surveillance and laboratory capacities in countries;
 - Drug and insecticide resistance; and
 - Strengthening monitoring, evaluation and surveillance, data systems, use of evidence, program reviews, evaluations and learning to optimize program performance and assess impact.

4. Implementation and oversight

Following signature of this Framework, the Parties intend to establish an Action and Results Matrix (the Matrix) as a living and non-binding document to guide collaboration, track and measure successes achieved through increased collaboration between the Global Fund and WHO, and provide a basis for measuring the extent to which this Framework has served its objectives, particularly in terms of driving results and impact at country level. The Matrix will be constructed around actions identified by both Parties that will strengthen collaboration. Progress towards results as articulated in the Matrix will be monitored and used to inform decisions and actions to improve collaboration in line with the principles

articulated herein. The Parties will periodically review and update the Matrix as required to guide implementation of this Framework. At the conclusion of the initial term of this Framework, or as otherwise agreed, the Parties will assess the overall performance against the Framework.

The oversight structure developed for this Framework is intended to monitor the progress of activities implemented under this Framework, encourage frequent contact of staff across all levels of the Parties and provide a process that allows for escalation and effective resolution of any key issues.

The Parties will monitor progress towards results, with the aim to ensure collaboration is effective, as described below:

- The Director-General of WHO and the Executive Director of the Global Fund will meet annually for strategic review, oversight and guidance;
- A Joint Steering Committee (WHO Deputy Director-General for Programmes, ADGs of the relevant WHO clusters, Regional Focal Points and Relevant Regional Directors and Global Fund equivalents) will meet at least once a year in-person or virtually including in advance of the above-mentioned meeting between the Director-General and the Executive Director, to assess progress, identify issues, and seek to resolve such issues; and
- A Global Fund-WHO Working Group will meet 4 times a year to review the implementation of progress and resolve any operational challenges. The discussion should include a standing item on successes, challenges and risks.

To streamline the process for finalizing projects entailing financial transactions as and when agreed, WHO and the Global Fund agree that the terms of the cooperation and financing agreement executed between the Parties on 1 December 2017 will serve as the primary basis for finalizing future agreements, with revisions made as and when agreed by the Parties. Through this, the Parties aim to reduce transaction costs and streamline negotiations. Additionally, each organization will develop an internal mechanism to track the flow and use of funds from the Global Fund to WHO at all levels, as feasible and subject to each Party's rules and procedures. This will be shared between the Parties to help improve collaboration.

Any collaborative activity under this Framework shall be subject to the availability of sufficient financial and human resources for that purpose, as well as each Party's program of work, priority activities, internal rules, regulations, policies, administrative procedures, and practices.

5. Responsibility

Each Party shall be solely responsible for the manner in which it carries out its part of the collaborative activities under this Framework. Thus, a Party shall not be responsible for any loss, accident, damage or injury suffered or caused by the other Party, or that other Party's staff or sub-contractors, in connection with, or as a result of, the collaboration under this Framework.

Each Party shall meet its own costs to implement the actions laid out in the Matrix, except if otherwise agreed through the execution of a separate agreement.

6. Disclosure and Publication

WHO and the Global Fund may acknowledge the existence of this Framework to the public, publish this Framework on its public website, and, to the extent possible, provide general information to the public with respect to the collaborative activities contemplated herein. Any disclosure with respect to this Framework, including of this Framework itself, will be made in accordance with WHO's and the Global Fund's respective disclosure policies, provided always that any such disclosure shall be consistent with the terms of this Framework.

The Parties agree to consult with each other and provide reasonable notice before publishing any external communications regarding this Framework.

7. Term and Termination

This Framework shall enter into force upon the date of its last signature and shall be in effect for a term of 3 years.

This Framework may be terminated by either Party, subject to 3 months' advance written notice to the other Party. Notwithstanding the foregoing, it is agreed that any termination of this Framework shall be without prejudice to the orderly completion of any ongoing collaborative activity.

8. Amendments

This Framework may only be amended in writing by mutual consent of the Parties.

9. Privileges and Immunities

Nothing contained herein shall be construed as a waiver of any of the privileges and immunities enjoyed by WHO or the Global Fund under national or international law, and/or as submitting WHO or the Global Fund to any national court jurisdiction.

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