



**DRAFT**

**CIVIL SOCIETY PARTICIPATION IN GLOBAL FUND GOVERNANCE:  
WHAT DIFFERENCE DOES IT MAKE?**

**PRELIMINARY RESEARCH FINDINGS  
JUNE 2004**

*I thank the NGO and activist communities. I did not know them well before taking this job. I have come to be their biggest fan. They are a major reason why the Global Fund exists. Their voice is clear, consistent and honest. They organize their delegations to this Board better than anyone else. And they have been a constant support to the work of the Global Fund. Constant support does not mean telling us things that we want to hear or patting us on the back. Constant support means honest and constructive comments and activity focused on getting the job done.*

Richard Feachem  
Global Fund Executive Director  
January 29, 2003

**Introduction**

In response to civil society efforts during the past two decades to gain access to decision-making processes of international organizations, multilateral and bilateral donor organizations have created a variety of consultative processes to seek input from civil society. Similarly, United Nations conferences over the past two decades have included parallel forums where civil society organizations (CSOs) have advocated for inclusion of their views in official UN documents. However, all of these processes have been advisory in nature. None has required that the particular donor organization seriously consider the views and recommendations of the CSOs involved in these processes.<sup>1</sup>

Until the creation of the Global Fund to Fight HIV/AIDS, Tuberculosis and Malaria (The Global Fund) there had been no formal inclusion of civil society in decision-making processes of international organizations. Representatives of Northern and Southern non-governmental organizations (NGOs) and affected communities are full members of the Global Fund's Board, and they are expected to be active members of the Country Coordinating Mechanisms (CCMs). The decision by the Global Fund to formally include non-governmental participation in its structure was greeted with enthusiasm by CSOs all over the world. CSOs are monitoring this participation in the governance of the Fund very carefully to determine the actual value of such

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<sup>1</sup> Some donor organizations have changed existing policies or instituted new ones as a result of CSO advocacy (e.g. safeguard policies now in effect at the World Bank) but these actions have been the result of CSO advocacy undertaken from outside the organization rather than influence exercised as a member of a governing body.

participation to the work of CSOs and to extract lessons from this experience for possible application to other international entities.

To capture lessons growing out of civil society's inclusion in Global Fund governance, the International Center for Research on Women has undertaken a two-year research and advocacy initiative. The objective of the initiative is to strengthen civil society participation in Global Fund decision making by identifying factors that constrain or enable effective and meaningful participation in governance. The initiative is also examining the extent to which the Global Fund has integrated gender considerations into its operations and the role that civil society has played in this regard. Support for the initiative comes from the Ford Foundation.

For the first phase of its research, ICRW reviewed other consultative mechanisms and processes for civil society engagement, carried out a series of interviews with key informants, and reviewed a wide range of key Global Fund documents. The current findings draw on the recommendations that were spelled out during a civil society consultation held in Brussels in November 2001 to provide input into decisions regarding the establishment of the Global Fund. The report from that meeting provides a baseline for assessing what civil society has achieved through its participation on the Global Fund Board.

The focus of civil society representatives at the Board level during these first two years has been on structures, policies, and practices to enhance effective and meaningful participation by civil society in all aspects of Global Fund operations, with the expectation that this will contribute to more effective and far-reaching efforts to overcome these diseases and their effects on society. A review of those efforts allows for preliminary observation of factors that facilitate or constrain civil society participation. Preliminary observations about the Fund's integration of gender concerns are also outlined below.

## **I. TO WHAT EXTENT DOES PARTICIPATION BY CIVIL SOCIETY IN GLOBAL FUND GOVERNANCE INFLUENCE DECISIONS AND OUTCOMES?**

After a little more than two years of operations, it is clear that civil society participation in Global Fund governance has influenced decisions and outcomes related to institutional structures, policies, and practices. Membership on the Board<sup>2</sup> has afforded civil society an opportunity to further influence decision making through participation in Board Committees. Civil society has used its voice on the Board to press for evaluation of CCM operations and continued attention to changes needed to ensure more meaningful participation by civil society at the country level. Civil society advocacy for public disclosure of all working documents of the Board, Secretariat, and Partnership Forum, as well as all proposals, interim and final reports, was instrumental in the Board's adoption of a Global Fund Documents Policy, which details 10 categories of documents that routinely will be made public.

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<sup>2</sup> Civil society involvement in the process of establishing the Fund succeeded in securing two voting and one non-voting seats on the Board, inclusion in the Country Coordinating Mechanisms, and the establishment of a Partnership Forum. The By-laws are consistent with the civil society recommendation that there be regional representation on a rotational basis.

## II. WHAT ARE THE FACTORS AND MECHANISMS THAT FACILITATE MEANINGFUL AND EFFECTIVE PARTICIPATION BY CIVIL SOCIETY?

***A. Depth of commitment of top leadership to meaningful and effective participation of civil society.*** The top leadership of the Fund, including both the Executive Director and the Chair of the Board, has demonstrated a clear commitment to enabling the participation of civil society representatives. The Chair has been widely applauded for creating a supportive environment for civil society participation in Board deliberations. Key informants also cited the accessibility of the Executive Director to civil society representatives and a willingness to hear their concerns. The quote by Richard Feachem, cited above, reflects his commitment and an affirmation of the value of civil society to the functioning of the Fund.

### **Recommendation:**

- ❖ **Ensure that commitment to enabling meaningful civil society participation is sustained by current and future Board Chairs and Executive Directors.**

### ***B. Global Fund commitment to transparency of decision making and operations.***

The Global Fund has worked diligently to ensure that its decision making is transparent. The main vehicle for implementing this commitment is its policy of posting all key documents on the website in a timely fashion. Despite an unprecedented openness to enabling civil society to engage with Global Fund in an ongoing manner, however, key informants raised a number of concerns, including: (a) civil society Board and Committee members do not always receive key documents in a timely manner, (b) they often have significant technological difficulties in accessing the documents, (c) Board documents are not made public until after the Board meeting, (d) there has been no public disclosure of the scoring form used by the Technical Review Panel (TRP) to rate proposals, (e) the TRP report on proposals is not posted directly on the website, but constitutes a part of the Board docket and can be difficult to find, (f) the TRP report is not available prior to the Board meeting which limits the ability of civil society to have input into the final approval of proposals by the Board.

At the CCM level there are numerous concerns about transparency. The issues repeatedly highlighted in interviews with key stakeholders are that: (a) Principal Recipients do not always share progress updates with the CCMs and (b) there is a lack of clarity as to the role of different CCM members in monitoring of program implementation.

### **Recommendations:**

- ❖ **Improve distribution of Board and Committee materials and timely posting of documents on the website; utilize user-friendly formats for those with less technological capability.**
- ❖ **Increase transparency of proposal decision making by disclosing the scoring form used to evaluate proposals and directly posting the TRP report prior to each Board meeting.**
- ❖ **Ensure that Principal Recipients share progress reports and updates with CCM and make Board documents available on the web prior to the Board meeting.**

### ***D. Evaluation of civil society participation in the Global Fund***

The Global Fund adopted the civil society recommendation that a formal evaluation of the Fund be conducted after the first two years of operation. Restructuring of the Secretariat was recently completed through an organizational development process. In addition, the Board instructed the Secretariat to develop a Monitoring and Evaluation Strategy. Beyond these measures, additional

assessments could capture lessons from the Global Fund experience that would be of particular importance to civil society involvement in other international institutions. Both the Global Fund and civil society should find ways to systematize the monitoring and evaluation of civil society participation in Global Fund governance to ensure strengthening of the factors that enable meaningful civil society participation.

**Recommendations:**

- ❖ **Civil society organizations should, in particular, evaluate the process by which they have selected Board members and alternates and identify ways to expand the number, increase diversity, and strengthen overall capacity and expertise of civil society organizations involved in the governance process.**
- ❖ **The Secretariat should produce an annual report of best practices for civil society participation in governance.**

**II. WHAT ARE THE CONSTRAINTS TO MEANINGFUL PARTICIPATION BY CIVIL SOCIETY IN DECISION-MAKING IN THE GLOBAL FUND?**

**A. *Financial resource limitations.*** Resources to support civil society participation in Global Fund governance have come from civil society organizations, the Global Fund, bilateral donors, and private foundations. These resources, however, are proving inadequate for the challenges that the global civil society faces in fulfilling its governance responsibilities, both at the Board level and at the country level.

Resource constraints, in particular, limit the amount of time civil society representatives can dedicate to fulfilling their responsibilities as Board members and alternates, in turn constraining the effectiveness of civil society participation. This is especially the case in these first few years of Fund operations, when effective civil society participation in governance requires the creation of processes for effective communication, consultation, and deliberation. These processes are necessary to enable civil society Board members to be genuinely representative and to most effectively provide insights and understanding based on the experience of civil society.

Beyond these time limitations, lack of resources constrains civil society participation – particularly grassroots participation -- in CCMs. Resource limitations also underlie the lack of technology infrastructure and skills, which severely constrain participation by civil society from resource poor settings.

**Recommendation:**

- ❖ **The three civil society delegations should consider forming a joint task force to determine options for more adequate financing for civil society participation in global fund governance and operations.**

**B. *Inadequate flow of information among civil society participants and limited information technology capacity.*** Systems for a two-way flow of information between civil society participants on the Board and those at the country level are not well developed. This has resulted in a critical gap in communication between Board representatives and the broader civil society. As described above, additional resources are needed to establish regular and effective channels of information and exchange that would provide the means for consultation by civil society Board members and delegates with the wider civil society on timely issues related to Global Fund policies and operations. The task of establishing communications networks and systems while simultaneously providing support for current Board operations is not manageable for the three civil society communications focal points.

**Recommendations:**

- ❖ **At a minimum, double the number of communication focal points for civil society delegations.**
- ❖ **The Secretariat should give priority attention to assessing communications technology needs among civil society delegates and identify means of ensuring easier communication.**

***C. Failure to acknowledge central importance of capacity strengthening to effective participation of civil society and to mobilize adequate resources for that purpose.*** One of the key principles of the Global Fund is support for “programs that reflect national ownership and respect country-led formulation and implementation processes.” To be most effective, this approach requires an installed capacity for consensus building, proposal development, program implementation, monitoring and evaluation. In many countries, participation in such processes is a relatively new opportunity for civil society, one that requires civil society organizations to develop new technical knowledge and strategic and process skills. The Global Fund is supporting the development of training materials and training opportunities at the upcoming Partnership Forum and International AIDS Conference. In general, however, the Global Fund has relied on partners to support the strengthening of civil society’s capacity to participate effectively at the Board and in the CCMs.

**Recommendation:**

- ❖ **Based on the recent studies of CCM operations, the Board should identify priority countries and invest or mobilize resources for strengthening civil society capacity, where that is desired by civil society organizations.**

***D. Lack of criteria for what constitutes meaningful and effective civil society participation at the country level.*** Civil society participation in CCMs has varied from country-to- country, but – on the whole – has been far less effective and meaningful than what has been advocated by civil society at the Board level. There is evidence that stigma and discrimination at the country level has led to exclusion of some affected groups, notably women and drug users. Currently, a review of CCM membership and the signature of members on the proposal submission are used as indicators for civil society involvement in the proposal development process.

**Recommendation:**

- ❖ **Strengthen CCM guidelines with respect to requirements for civil society participation and include better indicators of meaningful civil society participation in evaluating proposals. These indicators could include, for example, assessing the diversity of interests and experience represented by CCM civil society members, the extent to which civil society members had timely access to necessary information, documentation of civil society member attendance at CCM meetings, a description of civil society contributions to the proposal development, and indications of consultations between civil society CCM members and constituents.**

#### IV. TO WHAT EXTENT HAS THE GLOBAL FUND INTEGRATED GENDER CONCERNS INTO ITS POLICIES AND OPERATIONS? WHAT ROLE HAS CIVIL SOCIETY PLAYED WITH RESPECT TO THE GLOBAL FUND'S ATTENTION TO GENDER CONCERNS?

A significant gap in the Global Fund's structure, policies and processes is the lack of a systematic focus on gender issues. Recognition of the importance of gender concerns is articulated in the Framework Document, which states that the Fund will support proposals that address gender inequality. This has been implemented by including in requests for proposals (RFPs) a section calling for attention to gender inequality and how to mainstream gender equality throughout the program proposed. In Round 4, there is specific attention drawn to gender inequalities in relation to the issue of access, with instructions that proposals should address ways to minimize these. A review of documents from the period leading to the establishment of the Fund, as well as official Fund documents raise a number of concerns regarding the extent and nature of attention to gender and gender issues:

- **Women's organizations did not involve themselves in systematic way** in the discussions leading to the establishment of the Global Fund. Civil society organizations failed to identify key issues that needed to be addressed to ensure that a gender perspective was integrated into Global Fund policies, programs, and operations. Civil society recommendations primarily focused on ensuring gender balance in the structure of GF and its related bodies.
- There has been **no articulated agenda on key gender issues either by the Board or the Secretariat**. There has been little discussion of gender issues in Board meetings, despite its high relevance to many of the issues being deliberated.
- What attention has been given to gender concerns has focused on **gender balance in representation and not on ensuring gender expertise** in decision making and operations. The Technical Review Panels and the CCMs are notably lacking in gender balance, with many CCMs lacking representation from Women's Ministry or women's NGOs.
- Civil society criteria for Board members and alternatives include a requirement that candidates be "gender sensitive." However, **among current civil society Board representatives, alternates, and focal points there is little gender expertise**.
- **Country proposals demonstrate scant evidence of any systematic attempt to address gender issues** through program design. A preliminary scan of 37 countries indicates that primary emphasis of programs that target women is on MTCT. No reference is made to specific gender constraints in access to VCT or ARV treatment, for example. Proposals for education programs are silent with respect to gender norms that increase the vulnerability of men and women and how to address these factors.
- There is **no focus on violence against women** with the exception of a few proposals from Colombia, Costa Rica, and Croatia. Similarly, **economic issues related to women's vulnerability or access to care and treatment are not mentioned** or incorporated into program interventions, with the exception of Dominican Republic. The issue of property and inheritance rights for women is completely ignored
- **Sex disaggregated data is not uniformly collected**. The Monitoring and Evaluation Toolkit developed by the Global Fund recommends collection of sex disaggregated data for certain components but does not require it as such.

## Recommendations

- ❖ The Board should adopt a gender policy that provides for integration of gender analysis throughout Fund operations, including policy, planning, monitoring, and evaluation. The policy should also strengthen the requirement for inclusion of a gender perspective or expertise on CCMs (from “is desirable” to “is required and should be enhanced”).
- ❖ Ensure greater representation of women and their interests on the CCMs by requiring membership of the Ministry with jurisdiction for women’s issues and/or membership of autonomous or semi-autonomous Women’s Commission, where such exists. At least one of the civil society members of the CCM should represent the women’s movement or women’s organization.
- ❖ Increase gender expertise within the Fund by investing in staff training on gender analysis, especially for Portfolio Managers. Ensure gender expertise is available within the TRP sufficient so that all proposals are reviewed by at least one gender expert. Also ensure gender expertise on CCMs, validating such expertise through review of CV’s of members.
- ❖ Require sex-disaggregated indicators for each program activity in country proposals; incorporate gender-sensitive indicators as part of the Fund’s Monitoring and Evaluation Toolkit; include gender indicators as part of the plan for overall evaluation of the Global Fund.
- ❖ Integrate priorities identified by the Global Coalition on Women and AIDS as a basic framework for highlighting critical issues to be addressed by country proposals.<sup>3</sup>
- ❖ Assess proposed program activities according to whether, with respect to their impact on women, they are gender neutral, gender sensitive, or gender transformative.<sup>4</sup>

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<sup>3</sup> Based at UNAIDS, the **Global Coalition on Women and AIDS** is a new initiative made up of activists, government representatives, community workers and celebrities, that seek to stimulate concrete action on the ground to improve the daily lives of women and girls. Global Coalition areas of focus include:

- **preventing** HIV infection among girls and young women
- **reducing** violence against women
- **protecting** the property and inheritance rights of women and girls
- **ensuring** equal access by women and girls to care and treatment
- **supporting** improved community-based care, with a special focus on women and girls
- **promoting** access to new prevention options for women, including female condoms
- **supporting** on-going efforts towards universal education for girls

<sup>4</sup> *Gender neutral* interventions are those that do no harm. *Gender-sensitive* interventions recognize that men’s and women’s needs often differ and develop ways to meet those needs differentially. *Gender-transformative* programs not only recognize and address gender differences, but go a step further by creating the conditions whereby women and men can examine and understand the damaging aspects of gender roles and experiment with new behaviors to create more equitable roles and relationships.