

GLOBAL FUND OBSERVER (GFO) NEWSLETTER, a service of Aidspace.

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The Fund's newly-released *Grant Scorecards* contain revealing and candid comments by the Secretariat. Comments include "The overall management of the program by the PR, the Ministry of Health, has been inadequate." / "The PR, the Ministry of Health, met or exceeded all of its targets." / "The overall positive results were achieved in spite of problems of CCM disunity in the first semester and a change of government in the third." / "Acute coordination and partnership problems have been reported within the CCM as well as between public and private sector partners."

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1. NEWS: Head of PEPFAR Chosen as Chair of Key Global Fund Committee

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The Global Fund board has chosen Ambassador Randall Tobias, head of PEPFAR, the \$15 billion US bilateral AIDS program, to serve as Chair of the Global Fund's key Policy and Strategy Committee. The resolution to approve Tobias, which came despite complaints by activist NGOs and a critical editorial in the *New York Times*, nearly failed to pass as a result of several votes not being received by the deadline.

Tobias has served as head of PEPFAR since his appointment by President Bush as US Global AIDS Coordinator in 2003. Prior to that he served for six years as Chairman and CEO of Eli Lilly, a major pharmaceutical company, and before that, for seven years as Vice Chairman of AT&T.

Asked by *Global Fund Observer* last week whether Tobias, as Chair of the Global Fund's Policy and Strategy Committee, would have a conflict of interest if/when US policies conflict with Global Fund policies, Tobias's office responded that the US would have someone else on the committee to represent US policies and interests, and that Tobias's role would be to chair the committee "in the same spirit of fairness, neutrality, candor and inclusiveness with which former Health and Human Services Secretary Tommy G. Thompson before him chaired the board." Tobias's office then forwarded to all board members that response to GFO's questions.

The appointment was triggered when the board set up a new board committee structure at its board meeting last month, with the Policy and Strategy Committee (PSC) being by far the most powerful committee. Shortly after the board meeting, the new board Chair (Carol Jacobs of Barbados) and Vice Chair (Michel Kazatchkine of France) nominated Tobias to chair the PSC. The board had to vote by email by the end of Friday for or against a single resolution regarding the proposed chairs of all four committees.

As with all formal Global Fund board votes, the resolution required a "double two-thirds majority" to pass. This meant that the resolution would have failed if there had been four negative votes (or abstentions, or simple failures to vote) either within the "donor group" (which consists of seven board members representing developed country governments, plus one representing the private sector and one representing foundations) or within the "recipient group" (seven board members representing developing country governments, plus two representing NGOs and one representing communities living with the three diseases).

When the nomination of Ambassador Tobias became known, Dr. Paul Zeitz of the US-based Global AIDS Alliance was highly critical. In a May 13 open letter to the Fund's Chair and Vice Chair, Zeitz complained that Tobias "has a proven track record of promulgating ideologically-based, pro-corporate, and unilateralist policies" that are "systematically undermining the global effort to stop AIDS," and that Tobias "is aggressively investing in abstinence and faithfulness over condoms as a means to prevent the spread of HIV despite overwhelming evidence that a balanced approach to prevention is the most effective."

Zeitz also complained about newly-published US regulations that stated that recipients of Global Fund grants "must have a policy explicitly opposing prostitution." [As reported in a separate story below, Tobias withdrew those regulations four days later.]

Then on May 19, the *New York Times* ran an editorial saying "If Mr. Tobias ran the [Fund's] policy committee, religious conservatives would have a direct channel into the Global Fund. Even if Mr. Tobias wanted to, he might not be able to resist that pressure. It is bad enough that the American program ties the hands of those fighting AIDS. It would be far worse if the Global Fund did so, too."

The process for choosing the committee chairs did not run smoothly. The nominations of Tobias and the proposed candidates for the three other committee chairmanships were made by the Board's Chair and Vice Chair after board members were asked to submit informal, private, written nominations during the last hours of the April board meeting. The Fund's Chair and Vice Chair cited the number of nominations received for Tobias as their main reason for formally proposing him to chair the PSC. But board members had not been told that their nominations would be "counted" in this way.

By the time voting closed at the end of the week, there were no votes against and no formal abstentions, but three board members representing developing country governments had not voted, despite two reminders being sent during the preceding three days. It was not clear whether the three "non-votes" were formal abstentions, or were just the result of poor communications. If one more "recipient group" member had been silent, the resolution would not have passed.

The actual vote was not secret; leading to concern that countries that receive US AIDS money might not have felt free to openly vote against Tobias, if that had been what they wanted to do.

The three other board committee chairmanships approved by the board last week were Dr. Lieve Franssen of the European Commission to chair the Finance and Audit Committee; Mr. Urbain Olanguena Awono, Minister of Health of Cameroon, to chair the Portfolio Committee (which deals with grant implementation); and Ms. Anandi Yuvaraj, board member representing Communities living with the three diseases, to chair the Ethics Committee. Each of these, and Ambassador Tobias as chair of the Policy and Strategy Committee, will choose a committee vice chair in consultation with the board Chair and Vice Chair.

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2. NEWS: US Withdraws Requirement That Affected Global Fund Grant Recipients

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After receiving protests from some US NGOs and queries from the media, Ambassador Randall Tobias, head of the US's bilateral AIDS program PEPFAR, withdrew a newly-published US requirement which stated that non-governmental recipients of Global Fund grants "must have a policy explicitly opposing prostitution." The requirement was the latest in a steadily escalating set of conditions placed upon recipients of US AIDS grants.

Those who protested the requirement were not seeking to support prostitution; they were saying that the requirement was inappropriate given that prostitution is legal in some countries and that cooperation with commercial sex workers is an important part of some HIV prevention programs. One NGO was quoted by the *Washington Post* as saying, "We know that stigmatizing people with HIV is one of the root causes of the pandemic. So why would we issue statements that might exacerbate that?"

Since PEPFAR started in 2003, the US has required that certain groups receiving PEPFAR money must have a written policy explicitly opposing prostitution. This was the result of language added to US legislation by Representative Chris Smith, who earlier served as head of New Jersey Right to Life.

At first, this requirement only applied to foreign organizations operating overseas. (Brazil recently rejected \$40 million in US AIDS funding rather than comply with the requirement.) US-based organizations were exempt because the US believed that forcing them to make the declaration might infringe their First Amendment right of free speech. Also exempt were multilateral organizations such as the Global Fund whose policies prohibit them from enforcing the national laws of member countries.

Then in September, the US decided that the requirement would also be applied to US groups working overseas (though not domestically).

Then earlier this month, the US published a requirement stating that although the requirement did not apply to the Global Fund, it did apply to foreign recipients of Global Fund grants. This led to multiple complaints, in the very week that there was to be a vote on whether PEPFAR's Ambassador Tobias would become Chair of the Global Fund's Policy and Strategy Committee.

Finally, in a remarkable about-face three days before the vote on Tobias's nomination, Tobias withdrew the new requirement regarding Global Fund recipients, saying this was not something he had approved in advance. His office informed GFO that Tobias had only learned of the new requirement four days earlier, and that publishing the requirement was "a simple oversight."

GFO has asked Tobias's office who was responsible for this "simple oversight," but no response had been received at press time.

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3. COMMENTARY: Two Giants Learning to Dance Together

by Bernard Rivers

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When you have a donor giving billions of dollars for AIDS, politics inevitably raises its head from time to time. And when you have two such donors, and they're working out how to dance with each other, the politics gets heavier. This has certainly been the case with the Global Fund and the US's PEPFAR program.

Just under a year ago, at the Bangkok International AIDS Conference, the relationship between the Global Fund and PEPFAR was strained. Conference participants rarely criticized any aspect of the Fund, or praised any aspect of PEPFAR. Perhaps in response, PEPFAR's leader Ambassador Randall Tobias told the San Francisco *Chronicle* that the Global Fund should "slow down" and that the US should give less, not more, to the Global Fund.

Since then, the relationship between the two funding giants has become somewhat easier. At the Global Fund's April board meeting, Tobias was the US board member, and his interventions were cautious and generally constructive.

However, Ambassador Tobias may find he faces a complicated balancing act as the newly-appointed Chair of the Global Fund's Policy and Strategy Committee (PSC). The US is increasingly promoting moral values in its AIDS funding that are at variance with some positions adopted by the Global Fund. (As one observer wickedly commented, "the Bush Administration has elected itself not only the world's cop, but its pope, too.") What will Tobias do if the US Congress introduces future legislation requiring recipients of Global Fund grants to endorse US positions on certain moral issues in return for continued US contributions to the Fund? He might have to hand the chair to someone else while that issue was being debated; as a minimum he would have to chair the debate in a studiously neutral manner even if it looked as if the vote would go against the US. Tommy Thompson achieved that on more than one occasion as Global Fund chair; but Thompson had served fourteen years as governor of Wisconsin, giving him considerably more political experience than Tobias has from his former role as a pharmaceutical CEO.

On the other hand, the Global Fund needs the US's political support and it needs the US to increase its contributions to the Fund. Having Tobias as PSC Chair will appease some potential critics of the Fund in Congress; and every board member is acutely aware that Tobias has major influence over how much of the US's \$3 billion-plus per year of AIDS money is channeled to the Fund.

It all boils down to two questions. First, will having Tobias as PSC Chair lead to the Global Fund being forced, or manipulated, into doing things that it would not do if he were not PSC Chair? My guess is: probably not much, especially given the number of vociferous and opinionated board members – including but certainly not restricted to NGOs – who will be voting at every PSC meeting. And second, will having Tobias as PSC Chair lead to him understanding the Global Fund better, and pushing for increased US funding of the Fund, and even carrying one or two Global Fund ideas into his own work at PEPFAR? My answer is: here's hoping.

[Bernard Rivers (rivers@aidspan.org) is Executive Director of Aidspan and Editor of its GFO.]

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4. ANALYSIS: The First Fifty "Phase 2 Renewals"

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The Global Fund has made its fiftieth decision regarding whether to approve a grant for extension beyond the first two years, known as "Phase 2 Renewal."

For the first time, the Fund is now making public each *Grant Scorecard*, which contains the originally-confidential evaluation that the Secretariat submitted to the Board when making its recommendations regarding Phase 2. [For details, see "Evaluations: Excerpts from Grant Scorecards," below.]

Each Grant Scorecard assesses many aspects of the grant's performance, and then combines these assessments into an "Overall Grant Rating." This can have the following values:

- A: Grant performance has met or exceeded expectations
- B1: Grant performance has not met expectations, but has been adequate
- B2: Grant performance has been inadequate, but potential has been demonstrated
- C: Grant performance has been unacceptable

Separately, the Secretariat assesses "Contextual Considerations," which relate to factors beyond the control of those involved in grant implementation but that can have an impact on the chances of success.

Finally, after taking into account the "Overall Grant Rating" and the "Contextual Considerations," the Secretariat makes one of the following recommendations:

- "Go": The grant should be approved for Phase 2 (Years 3-5)
- "Conditional Go": The grant should be approved for Phase 2, on condition that specified actions are taken by the PR and/or CCM within a specified time period.
- "Revised Go": The grant should be approved for Phase 2, subject to specified major changes being made from the original proposal.
- "No Go": The grant should not be approved for Phase 2, and should therefore be terminated.

With the first 50 grants assessed for Phase 2 Renewal, some of which were reported on in GFO Issue 40, the ratings were as follows:

- Rating A: 19 grants
- Rating B1: 21 grants
- Rating B2: 8 grants
- Rating C: 2 grants

The final recommendations from the Secretariat were as follows:

- Go: 32 grants
- Conditional Go: 15 grants
- Revised Go: 0 grants
- No Go: 3 grants

Of the three grants recommended as "No Go," the Board agreed with the Secretariat regarding one of them (a Senegal malaria grant). As a result, that grant is being terminated. For the other two (Senegal HIV and Honduras HIV), the Board decided to give the CCM two months in which to propose revisions to the grant. After that, the grant may still be terminated, or it may be permitted to continue.

For each of the fifty grants, the Fund provides at www.theglobalfund.org/en/funds_raised/performance the above-mentioned Grant Scorecard. At the same location, and/or at its country pages, the Fund also provides for these and some other grants an occasionally-updated *Grant Performance Report*, a document that was never confidential and that contains some information that is new and some that duplicates what is in the Grant Scorecard.

The fifty grants for which Phase 2 decisions have been made

Country	Round	Disease Component	Grant number	Grant Rating	Board decision re Phase 2
Argentina	1	HIV/AIDS	ARG-102-G01-H-00	A	Conditional Go
Benin	2	HIV/AIDS	BEN-202-G03-H-00	B1	Go
Benin	1	Malaria	BEN-102-G01-M-0	B1	Conditional Go
Burundi	1	HIV/AIDS	BRN-102-G01-H-00	B1	Go
Chile	1	HIV/AIDS	CHL-102-G01-H-00	B1	Go
China	1	Malaria	CHN-102-G02-M-0	A	Go

Country	Round	Disease Component	Grant number	Grant Rating	Board decision re Phase 2
China	1	TB	CHN-102-G01-T-00	A	Go
Congo (Democratic Republic)	2	TB	ZAR-202-G01-T-00	B1	Conditional Go
Cuba	2	HIV/AIDS	CUB-202-G01-H-00	A	Conditional Go
El Salvador	2	HIV/AIDS	SLV-202-G01-H-00	B1	Conditional Go
Ethiopia	1	TB	ETH-102-G01-T-00	B2	Conditional Go
Ghana	1	HIV/AIDS	GHN-102-G01-H-0	B1	Conditional Go
Ghana	2	Malaria	GHN-202-G03-M-0	A	Go
Ghana	1	TB	GHN-102-G02-T-00	B1	Conditional Go
Haiti	1	HIV/AIDS	HTI-102-G02-H-00	B1	Go
Haiti	1	HIV/AIDS	HTI-102-G01-H-00	A	Go
Honduras	1	HIV/AIDS	HND-102-G01-H-0	B2	Referred back to CCM for Revised Request for Continued Funding
Honduras	1	Malaria	HND-102-G03-M-0	B2	Conditional Go
Honduras	1	TB	HND-102-G02-T-00	B2	Conditional Go
India	1	TB	IDA-102-G01-T-00	A	Go
Indonesia	1	HIV/AIDS	IND-102-G03-H-00	B2	Conditional Go
Lao PDR	1	HIV/AIDS	LAO-102-G01-H-00	B2	Conditional Go
Lao PDR	1	Malaria	LAO-102-G02-M-0	B2	Conditional Go
Madagascar	2	HIV/AIDS	MDG-202-G02-H-0	A	Go
Madagascar	2	HIV/AIDS	MDG-202-G03-H-0	B1	Go
Madagascar	1	Malaria	MDG-102-G01-M-0	B1	Go
Moldova	1	HIV/TB	MOL-102-G01-C-0	A	Go
Mongolia	2	HIV/AIDS	MON-202-G02-H-0	A	Go
Mongolia	1	TB	MON-102-G01-T-0	A	Go
Morocco	1	HIV/AIDS	MOR-102-G01-H-0	A	Go
Multi-country Africa(RMCC)	2	Malaria	MAF-202-G01-M-0	A	Go
Multi-country Western Pacific	2	HIV/AIDS	MWP-202-G01-H-0	B2	Conditional Go
Multi-country Western Pacific	2	Malaria	MWP-202-G02-M-0	B1	Go
Multi-country Western Pacific	2	TB	MWP-202-G03-T-0	B1	Go
Panama	1	TB	PAN-102-G01-T-00	A	Go
Philippines	2	Malaria	PHL-202-G01-M-00	B1	Go
Philippines	2	TB	PHL-202-G02-T-00	A	Go
Rwanda	1	HIV/TB	RWN-102-G01-C-0	A	Go
Senegal	1	HIV/AIDS	SNG-102-G01-H-00	C	Referred back to CCM for Revised Request for Continued Funding
Senegal	1	Malaria	SNG-102-G02-M-0	C	No Go
Swaziland	2	HIV/AIDS	SWZ-202-G01-H-00	B1	Conditional Go
Tajikistan	1	HIV/AIDS	TAJ-102-G01-H-00	A	Go
Tanzania/Zanzibar	1	Malaria	ZAN-102-G01-M-0	B1	Go
Zambia	1	HIV/AIDS	ZAM-102-G01-H-0	B1	Go
Zambia	1	HIV/AIDS	ZAM-102-G04-H-0	A	Go
Zambia	1	HIV/AIDS	ZAM-102-G08-H-0	B1	Go
Zambia	1	Malaria	ZAM-102-G02-M-0	B1	Go
Zambia	1	Malaria	ZAM-102-G05-M-0	B1	Go
Zambia	1	TB	ZAM-102-G03-T-00	B1	Go
Zambia	1	TB	ZAM-102-G06-T-00	A	Go

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5. NEWS: Global Fund to Provide "FAQ" for Round 5 Applicants
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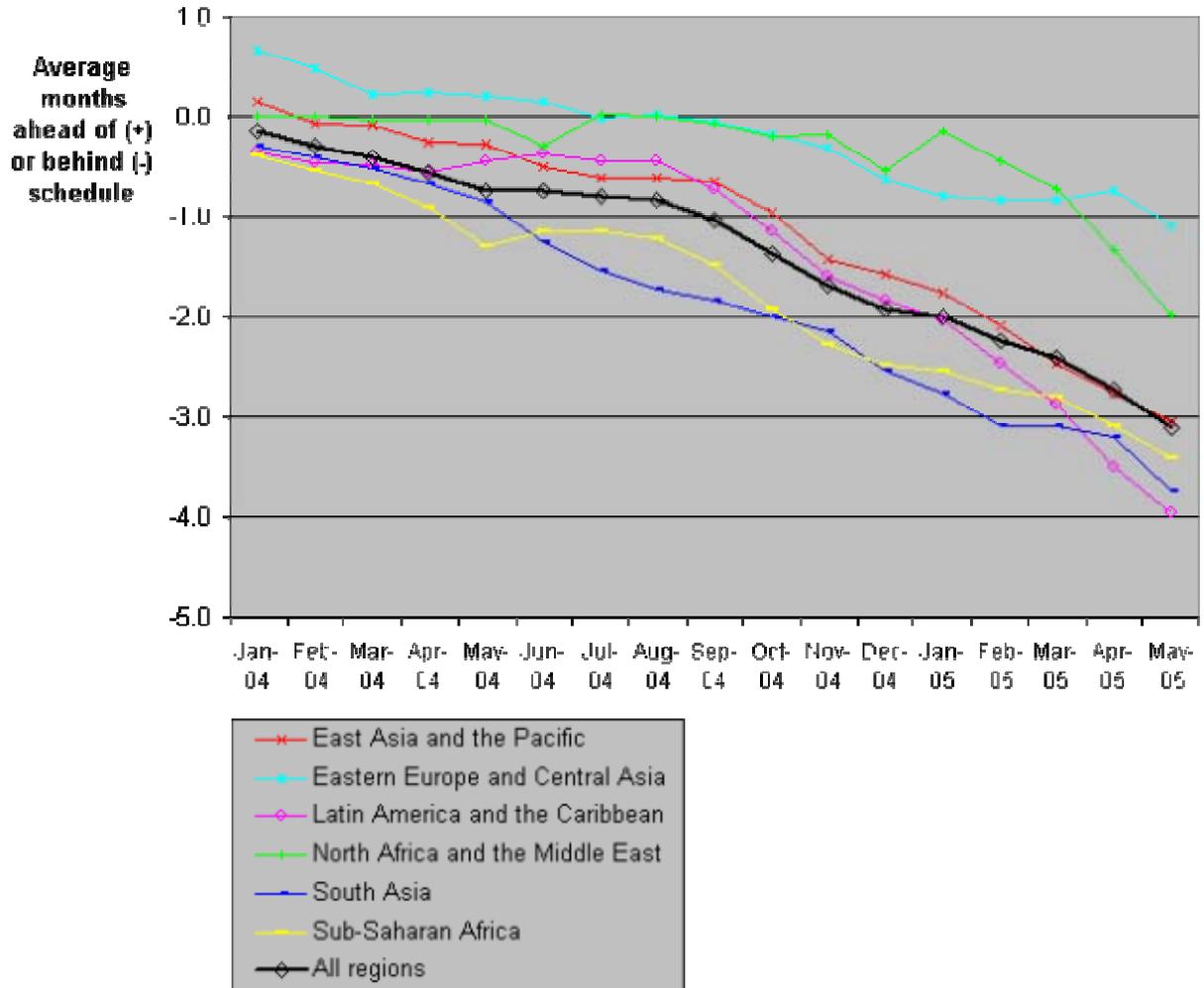
The Global Fund says that on Wednesday it will post at www.theglobalfund.org/en/faq a publicly-accessible regularly-updated "Frequently Asked Questions" document about the Round 5 application process, and that it will write to all known potential applicants and CCMs informing them of this.

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6. ANALYSIS: Aidspace Website Adds Graphical Representation of Grant Delays
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The website of Aidspace, the NGO that publishes GFO, now provides a graphical record of changes over time in the extent to which various groups of Global Fund grants are ahead of or behind schedule. The graphs can be reached by clicking on "Graphs" near the top of www.aidspace.org/grants/totals.

One of the graphs is reproduced below. (If it is not visible, or is unclear, it should be clear at the above web address.) This particular graph shows, for instance, that grants to Latin America and the Caribbean, currently the most behind schedule on average, were amongst the nearest to being on schedule nine months ago.

Grants by Region



The graphs show that every four months or so, the average grant has fallen one more month behind schedule.

Note: In the last issue of GFO, where we listed the extent to which 311 grants are ahead of or behind schedule, we made errors with regard to three grants, for which we apologize. The grants were for Mongolia (MON-102-G01-T-00), Morocco (MOR-102-G01-H-00) and Tajikistan (TAJ-102-G01-H-00). As has been shown at www.aidspace.org/grants since we learned of the error, all three grants are performing significantly better than we reported in GFO.

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7. EVALUATIONS: Excerpts from Grant Scorecards
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As reported above, the Global Fund Secretariat provides confidential *Grant Scorecards* to board members during consideration of "Phase 2 renewal" of grants that are approaching the end of their second year. The Grant Scorecards, which contain the Secretariat's candid comments on the strengths and weaknesses of each grant, are published at www.theglobalfund.org/en/funds_raised/performance after the Phase 2 decisions have been made. Below, GFO has selected some excerpts from the these Grant Scorecard comments.

Ethiopia: Grant ETH-102-G01-T-00 Rating: B2

"Program progress has been slow, largely because of cumbersome procurement procedures... Several constraints have been rectified in recent months... However, the PR did not begin many activities that had been in its workplan, and therefore, a revision of Program targets may be necessary for Phase 2... The Ministry of Health's reporting was sometimes inconsistent during the early stages of its Program."

Ghana: Grant GHN-202-G03-M-0 Rating: A

"Within the first 16 months of the Program and in spite of procurement delays, 150,000 insecticide-treated nets have been distributed, reaching the Month 18 target three months ahead of schedule. [However,] CCM functioning remains a concern... Partners and dissatisfied CCM members have expressed increasing frustration with the organization's size, inefficiency, and conflict of interest in having the Chair of the CCM be a member of the PR. Accordingly, the CCM has been reduced in size, and constituencies now elect their members to the CCM. The main concern about the Ministry of Health members who serve as CCM Chair and additional PR representative has not been resolved. An election of the CCM chair was supposed to have happened in April 2005, and the Phase 2 grant extension signing will be made conditional upon this."

Indonesia: Grant IND-102-G03-H-00 Rating: B2

"The Program had a slow start, with sluggish capacity building efforts and procurement delays... The overall management of the Program by the PR, the Indonesian Ministry of Health, has been inadequate. The PR did not disburse funds to sub-recipients on a timely basis or in an effective manner. Late disbursements were largely due to the PR's weak monitoring of reports submitted by the sub-recipients."

Lao PDR: Grant LAO-102-G02-M-0 Rating: B2

"Progress in treatment activities has not been satisfactory. Better performance in this area will be an important condition for continued disbursements over Phase 2... The PR must improve the quality of its own reporting and closely monitor sub-recipient reporting... There are concerns about the functioning of the CCM."

Moldova: Grant MOL-102-G01-C-0 Rating: A

"The PR has managed the program efficiently, with the CCM playing an important oversight role. The program has collaborated with partners and responded to problems particularly well,

improving its ability to disburse to sub-recipients and in procurement after initial capacity difficulties."

Mongolia: Grant MON-102-G01-T-0 Rating: A

"The PR, the Ministry of Health, met or exceeded all of its targets [and] distributed funds to sub-recipients efficiently."

Morocco: Grant MOR-102-G01-H-0 Rating: A

"Results, when considered as absolute numbers, are somewhat low for the grant amount. The Secretariat encourages the PR to ensure that its Phase 2 targets are sufficiently ambitious."

Panama: Grant PAN-102-G01-T-00 Rating: A

"The overall positive results were achieved in spite of problems of CCM disunity in the first semester and a change of government in the third."

Philippines: Grant PHL-202-G02-T-00 Rating: A

"The Principal Recipient, the Tropical Disease Foundation, disburses to sub-recipients effectively, provides high-quality reporting, and has succeeded in cooperating and coordinating activities with government agencies and other donor programs."

Senegal: Grant SNG-102-G02-M-0 Rating: C

"The grant had poor performance in two service delivery areas, inadequate performance in three service delivery areas, and only adequate performance in [one] service delivery area... Reporting has been inconsistent, and the results used for the purpose of the Phase 2 evaluation are at least six months old... After 18 months, the PR has still not entered into formal, contractual relationships with its sub-recipients and has not reported any disbursements to its sub-recipients. Acute coordination and partnership problems have been reported within the CCM as well as between public and private sector partners... The [CCM] chair has changed four times in 16 months."

Tajikistan: Grant TAJ-102-G01-H-00 Rating: A

"While the PR [UNDP] has satisfactorily managed the program, it should begin transferring more responsibility to the National AIDS Center and enable the strong CCM to continue governing the grant and forging partnerships with national and international partners."

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END OF NEWSLETTER
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This is an issue of the GLOBAL FUND OBSERVER (GFO) NEWSLETTER.

GFO is an independent source of news, analysis and commentary about the Global Fund to Fight AIDS, TB and Malaria (www.theglobalfund.org). GFO is emailed to 7,500 subscribers in 170 countries once to twice a month.

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