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Independent observer of the Global Fund

Blog discusses proposed changes to the Global Fund’s Eligibility Policy

A consultant, Meg Davis, has written a blog on the proposed changes to the Global Fund’s Eligibility Policy. Davis says that she has been “immersed in this labyrinth policy” as a consultant for the three civil society delegations on the Board: the Developing Country NGO Delegation, the Developed Country NGO Delegation and the Communities Delegation. The blog was posted on 28 March.

The Strategy Committee has been discussing the Eligibility Policy and will recommend changes to the policy at the next Board meeting on 9–10 May in Skopje, Macedonia.

EDITOR’S NOTE: Meg Davis’ blog is three things in one. First, it states the position of the civil society delegations on some elements of the Eligibility Policy. Second, it provides an update on what appears to have already been decided regarding certain elements of the policy that the Strategy Committee plans to submit to the Board. Third, it provides an explanation for how certain elements of the policy work. Note that the contents of the blog represent the views of the three civil society delegations. The blog does not capture the views of other Board delegations —including the donor country delegations, the private sector delegations and the implementing country delegations. Finally, it is unusual for a delegation, or a few delegations, to debate in a public way policy issues that are still under discussion by Board committees and that have not yet been discussed by the full Board. Nevertheless, we think that it is appropriate and useful to have this type of public discussion. It stimulates debate and contributes to the transparency of the Global Fund.

Davis said that the three civil society delegations came together to press for an overhaul of the policy but that for a variety of reasons “that didn’t happen.” But there has been some progress, Davis says, andthere are some big questions for civil society to weigh in on before the Board meeting.

TGF Eligibility Policy

Davis said that the policy being proposed to the Board will reduce the disease burden classifications from the current five (low, moderate, high, severe, extreme) to two (high and “not high”).

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To measure income, the policy will continue to be based on what Davis terms the “problematic” World Bank GNI per capita indicator. (See the blog for an explanation of why Davis considers this problematic.)

As before, for country applications all low-income (LIC) and lower-middle-income countries (LMIC) are eligible across the board, while upper-middle-income countries (UMIC) are eligible for any components that have a high disease burden.

For HIV, Davis explains, high disease burden means either a generalized epidemic, or HIV prevalence over 5% in at least one key population (men who have sex with men, transgender people, sex workers, prisoners, or people who inject drugs). Citing UNAIDS data available online, Davis says that almost one-third of UMICs report no data on any key population “often because governments deny key populations exist.”

“My civil society clients on the board pushed for, and got, a commitment that as part of the new eligibility policy, when a country has no government-reported HIV prevalence data for any key population, the Fund will consult with UNAIDS and use other data which they provide to determine whether the country is eligible,” Davis wrote. “This is a small change that could make a big difference in eligibility for some countries. Monitoring this will be crucial.”

Under the current policy, components that are newly ineligible can receive one allocation (normally, three years) of transition funding to tide them over. Davis said that the proposed policy provides that the Secretariat can request a second allocation of transition funding in individual cases.

Political exclusions and the NGO Rule

Next, Davis discussed what she termed the “political exclusions” and the NGO Rule, which she described as “a complicated jigsaw puzzle.”

Davis said that there are two groups of UMICS that are ineligible “purely because of the foreign policy agendas of countries that donate to the Fund and that are a powerful voice on the Board.”

The first group consists of the HIV components of three UMICS — the Russian Federation, Romania and Bulgaria — because they are not on the list of overseas development assistance (ODA) recipients maintained by the OECD Development Assistance Committee (DAC). This is a list that many donor countries use to guide their foreign assistance, Davis explains.

“My civil society clients have been trying to eliminate this rule altogether,” Davis said, “arguing that it has nothing to do with the need to fight the three diseases wherever they are. Other constituencies tried to expand the exclusions to TB and malaria as well as HIV. The result is a draw: The rule stays in place for HIV only, just like in the old policy.”

The second group is the members of the Group of 20 (or G-20). Under the current policy, members of the G-20 are not eligible for HIV funding unless they had at least a severe disease burden. The result is that Argentina, Brazil, China and Mexico are excluded because their disease burdens are not significant enough — while India, South Africa and Indonesia remain eligible because they have severe disease burdens.

Assuming that the new eligibility policy will have only two classifications for disease burden — high and not high — the G-20 clause will have to be revised. Davis writes that the civil society delegations pushed for the G-20 exclusion to be eliminated in the proposed policy, while other delegations wanted to keep it in place. The compromise was that it is eliminated, but with a “grandfather clause” stating that the previously ineligible countries (Argentina, Brazil, China, and Mexico) are still ineligible. (Russia is a G-20 member, but it falls under another provision in the policy.)

NGO Rule

Under the current policy UMICs with a high disease burden for one or more of their components that are excluded under the OECD-DAC provision (above) — i.e. Russia, Romania and Bulgaria — can get funding for a civil society grant if the country has “political barriers.”

Davis explained that a Russian civil society organization was recently funded under the NGO Rule, but that its project ended in December 2017 because of a brief spike in Russia’s GNI per capita. Davis said that the civil society delegations pushed for Russia to be eligible for the NGO Rule in the proposed policy,” and got a useful clause added to the policy.” (The blog did not explain what is in the clause.)

Davis said that Romania and Bulgaria have remained ineligible under the NGO Rule because of how “political barriers” has been interpreted. Davis said that although the civil society delegations pushed for revised language for the “political barriers” provision, “so far that has only resulted in even more confusingly elaborate new proposed language.” Davis said that this is an important area for HIV and human rights experts to weigh in on before the Board meeting.

Davis stated that the civil society delegations pushed to expand the NGO Rule to cover the excluded G-20 countries (Argentina, Brazil, China and Mexico). “That didn’t happen,” Davis said, “but there is a commitment to discuss some other form of funding for communities in ineligible UMICs. This discussion will happen when the Board starts to look at its allocation method this summer.” Davis said that she fears funding for these communities will come out of the catalytic funding stream (see Davis’ blog for an explanation of why she believes this is problematic).

The blog concludes with suggestions for what civil society can do between now and the Board meeting; for what civil society should monitor once the proposed policy goes into effect; and what civil society should think about for the future with respect to eligibility.

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