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GLOBAL FUND REPORT REVEALS LENIENT INTERPRETATION BY SECRETARIAT OF CCM REQUIREMENTS

In Round 8, a year ago, the Global Fund Secretariat determined that all proposals received from CCMs were eligible for consideration by the Technical Review Panel (TRP), even though some of the CCMs had not complied with at least one of the six minimum requirements that have been established by the Global Fund Board.

Also, the Secretariat recommended that consideration be given to changing the proposal guidelines to make “Non-CCM proposals” eligible if they address the needs of vulnerable populations that have been left out of the national response.

These points are revealed in a Global Fund report entitled “Report of the Round 8 Screening Panel.”

Copies of the undated report are available at www.theglobalfund.org/documents/ccm/Screening_Review_Panel_Report_Round_8.pdf. (A report regarding the screening process for Round 9 proposals is expected within the next few months.)

As explained in the report, all applications submitted in Round 8 were screened by the Global Fund Secretariat for eligibility. Only proposals deemed to be eligible were passed on to the TRP for review. The Global Fund imposes a number of eligibility criteria; they vary depending on the type of applicant. The screening had nothing to do with evaluating the quality of the proposal – that was left to the TRP; it just evaluated whether the applicants had followed certain requirements. If they had not, the TRP never saw the proposal.

The screening was a two-part process. First, the applications were reviewed by a Screening Team, made up of 16 people who receive special training. The Screening Team rated each application as fully

compliant (FC), indeterminate compliant (IC) or non-compliant (NC). An “IC” rating meant that the members of the Screening Team had some doubts concerning whether the application met the eligibility criteria.

Second, a more senior Screening Review Panel (SRP), made up of staff from various parts of the Secretariat, reviewed the applications and the recommendations of the Screening Team. For those applications rated FC by the Screening Team, the SRP reviewed a small sample of the applications. If the SRP was satisfied that the Screening Team had rigorously and appropriately reviewed the sample, it then voted to accept all FC recommendations as a block. For all applications rated IC or NC by the Screening Team, the SRP examined each one individually.

In its deliberations, the SRP did not rely entirely on the information contained in the applications. It also sought clarifications from the applicants, from other Global Fund staff, and from the Fund’s partner organisations.

Of the 123 applications, 96 were ultimately determined by the SRP to be eligible. The numbers break down as follows:

- Ninety-three of the 95 applications from coordinating mechanisms were deemed eligible (all 88 applications from CCMs, three of the four applications from Sub-CCMs, and two of the three applications from RCMs).
- Three of the eight applications from Regional Organisations (ROs) were deemed eligible.
- None of the 20 applications from Non-CCMs were deemed eligible. (Non-CCMs are national organisations other than the CCM – usually NGOs or faith-based organisations [FBOs].)

These results are similar to the results of the screening process for Round 7, except that in Round 7 all applications from ROs were deemed eligible. (See GFO 92 for details on the Round 7 screening.)

Below, we provide more information from the “Report of the Round 8 Screening Panel” on the screening process for (a) applications from coordinating mechanisms; (b) applications from ROs; and (c) applications from Non-CCMs.

A. Applications from coordinating mechanisms

In its “Report of the Round 8 Screening Review Panel,” the Global Fund provided details of the screening that was done on the 95 applications submitted by coordinating mechanisms. The Screening Team and the Screening Review Panel assessed whether applicants met a number of criteria related to (a) the composition and operations of the coordinating mechanisms and (b) the proposal development process. (These criteria are known as “the six CCM minimum requirements.”)

In its initial review of applications from CCMs, the Screening Team rated 73 applications as fully compliant (FC) and 15 as either indeterminate compliant (IC) or non-compliant (NC). The Screening Review Panel (SRP) confirmed all 73 FC ratings and, after reviewing the 15 IC- and NC-rated applications, the SRP decided that all of them were also fully compliant.

With respect to the other coordinating mechanisms, the SRP found only one sub-CCM (Congo Kasai) and one RCM (Andino) to be non-compliant.

In the report, the Global Fund Secretariat concluded that applicants had less difficulty demonstrating compliance compared to previous rounds. The Secretariat said that

“Contrary to Round 7, more CCMs submitted comprehensive documentation to prove an inclusive and transparent PR selection process. Also, most CCMs easily demonstrated that new non-government

representatives had been selected in a transparent manner. There was also clearer linkage between proposal solicitation and the review of submissions received.”

The following is a summary of what the report said about the screening conducted for each of the six minimum CCM requirements.

Requirement No. 1 – All CCMs are required to show evidence of membership of people living with and/or affected by the diseases.

Most applicants were able to demonstrate compliance fairly easily. Only three – CCM Democratic People’s Republic of Korea (DPRK), Sub-CCM Russian Federation and Sub-CCM Congo Kasai – were rated IC or NC initially by the Screening Team in regard to this requirement. Sub-CCM Congo Kasai was then determined to be non-compliant by the SRP because it failed to provide any supporting documentation. CCM DPRK and Sub-CCM Russian Federation were determined to be fully compliant by the SRP. In the case of CCM DPRK, although the proposals from that country were signed by one person previously treated for malaria, and one person previously treated for TB, there were no representatives of people living with HIV/AIDS on the CCM. However, the SRP noted that DPRK had no official data on HIV/AIDS and concluded that the CCM had shown “sufficient effort at meeting the spirit and intent of the requirement.”

In the case of the Sub-CCM Russian Federation, which submitted a TB proposal, it had submitted no evidence of membership of persons living with the diseases. However, after clarification, it was revealed that a person living with TB had been added to the CCM.

Requirement No. 2 – CCM members representing the non-government sectors must be selected by their own sector(s) based on a documented, transparent process, developed within each sector.

Seven applicants were initially rated IC or NC by the Screening Team with respect to this requirement – two first-time applicants to the Global Fund (Sub-CCMs from Kyrgyzstan and Russian

Federation), plus Sub-CCM Congo Kasai and CCMs from Algeria, DPRK, Bangladesh and South Africa.

The SRP determined all but Sub-CCM Congo Kasai to be fully compliant. Even though each of the other six applicants failed to provide the necessary documentation to demonstrate compliance, the SRP judged them to be compliant based on additional information obtained from the applicant, information provided by the regional teams in the Secretariat or special circumstances in the country in question, or a combination of the above. In several cases, the decision might have been a close call, but the SRP gave the applicant the benefit of the doubt. The SRP said that the Secretariat should work with the applicants involved to improve their selection processes.

Requirement No. 3 – CCMs are required to put in place and maintain a transparent, documented process to solicit and review submissions for possible integration into the proposal.

The SRP said:

“On the whole, CCMs demonstrated better understanding of this requirement [compared to previous rounds], in particular the need to link both parts of the requirement in order to be determined eligible. CCMs mostly used local newspapers and/or the internet to solicit ideas from interested stakeholders for possible incorporation into the final proposal. Furthermore, CCMs clearly documented their processes to review submissions received with many of them providing justifications for including or excluding submissions received.”

Nevertheless, seven applicants were initially rated IC or NC by the Screening Team with respect to this

requirement. Three CCM applicants (Gabon, Iran and Sri Lanka) had a clear proposal solicitation process but could not show evidence of a transparent and documented review process. The Sub-CCM Russian Federation had a documented review process but could not show evidence of an inclusive solicitation process. CCM Kazakhstan and Sub-CCMs from Kyrgyzstan and Congo Kasai had neither.

The SRP determined all but Sub-CCM Congo Kasai to be fully compliant. Once again, the SRP relied on clarifications from the applicant and input from the regional teams in the Global Fund Secretariat. And once again, the SRP gave several applicants the benefit of the doubt. For example, Sub-CCM Russian Federation did not publicly call for submissions. It stated that all organisations that had meaningful input to the proposal development process were already on the sub-CCM. The regional team confirmed this. But while the SRP determined Sub-CCM Russian Federation compliant with this requirement, it said that the SRP was

“concerned about legitimizing this trend of substituting documented open processes, with a claim that all relevant organizations had been involved in the process. The panel noted that this could, in the long run, result in proposal development processes being limited to selected organizations and institutions and thus not meeting the board’s requirements on openness and accountability.”

The SRP said that the Global Fund “needs to communicate to all applicant types, and especially those in [Eastern Europe and Central Asia] region, the need to reach beyond known or familiar networks to ensure a broad and inclusive process in meeting the requirement.” The SRP added that applicants should be reminded that open transparent processes must be documented for two aspects of proposal development – i.e., for both the solicitation and the review of stakeholder inputs.

Requirement No. 4 – CCMs are required to put in place and maintain a transparent, documented process to nominate the Principal Recipient(s) (PR) and oversee program implementation.

With respect to the PR nomination process, the SRP said:

“In general, applicants understood the need to reach beyond current PRs and consider other potential candidates. Most applicants placed a public call soliciting ‘Expressions of Interest’ from interested organizations. Others linked discussions for potential PR and/or sub recipients (SRs) to the proposal solicitation and review processes, designating authors of proposal submissions as PRs or SRs. Still, others reverted to current PRs after having considered alternative options. The common denominator in all of these cases was the applicants’ recognition of the need to designate PRs based on some evaluation criterion, at least an implicit one, and to ensure that the process employed was transparent and documented.”

The SRP also said that, in general, applicants recognised the need to describe their oversight processes fully.

Nevertheless, 11 applicants were initially rated IC or NC by the Screening Team with respect to this requirement: CCMs from Algeria, Benin, DPRK, Gabon, Kenya, South Africa, Sri Lanka and

Yemen; and Sub-CCMs from Congo Kasai, Kyrgyzstan and Russian Federation.

Once again, only Sub-CCM Congo Kasai was determined to be non-compliant by the SRP. The other ten applicants were determined to be fully compliant, mainly after clarifications from the applicants and input from the regional teams in the Secretariat.

In at least one case (CCM Gabon), the decision was a close call. The CCM nominated the Ministry of Health as PR for its HIV proposal, but provided no documentation concerning a selection process. As well, the SRP said that the CCM’s description of its oversight plan was “lacking” and that “[i]t was clear that the

CCM misunderstands its oversight role and responsibility.” The SRP was tempted to declare the CCM ineligible with respect to its HIV proposal, but the regional team argued that there were restructuring efforts underway in the CCM and that the Round 8 HIV proposal was very important to ongoing projects in Gabon. In the end, the SRP was unable to arrive at a consensus. The decision to find CCM Gabon eligible was based on a majority vote.

In its report, the SRP commented that “preselecting government PRs without due process definitely contradicts the spirit of openness and transparency” in the CCM requirements.

The SRP noted that most CCMs were quite willing to implement dual-track financing (DTF), and that “DTF discouraged many applicants from simply reverting to current PRs, as has been normal practice in the past, since they were being requested to solicit for expressions of interest from potential civil society PR candidates.”

Requirement no. 5 – CCMs are required to put in place and maintain a transparent, documented process to ensure the input of a broad range of stakeholders, including CCM members and non-members, in the proposal development and grant oversight process.

Initially, eight applicants – CCMs in Algeria, Gabon, Iran, South Africa and Sri Lanka; sub-CCMs in Congo Kasai and Kyrgyzstan; and the SADS RCM – were rated NC or IC by the Screening Team.

Once again, the SRP determined Sub-CCM Congo Kasai to be non-compliant and the others to be fully compliant. As was the case with Requirement No. 4, the SRP was split concerning CCM Gabon, and finally determined the CCM to be eligible based upon a majority vote.

The SRP pointed out that applicants often revert to documentation submitted for Requirements No. 3 and No. 4 to prove compliance with Requirement No. 5 since all three requirements are seemingly linked.

Requirement No. 6 – When the PRs and Chair or Vice-Chair of the CCM are the same entity, the CCM must have a written plan in place to mitigate the inherent conflict of interest.

Most applicants had no problems demonstrating compliance with this requirement. All were determined to be fully compliant by the SRP. However, in one case – CCM China – the decision was not automatic.

CCM China nominated the State Council AIDS Working Committee Office within the Ministry of Health as PR. The chair of the CCM comes from the Ministry of Health. The CCM said it did not recognise the need for a COI policy, insisting that the two entities (the Committee and the Ministry) were different. The regional team explained the close links between all entities and the government in China. The SRP considered having someone go back to the CCM to clarify the relationship between the two institutions. According to the report, “After much deliberation, the SRP agreed to screen CCM China in as compliant on condition that the regional team works with the CCM to write a COI plan.”

Further note concerning Sub-CCMs

Current guidelines allow a Sub-CCM to be deemed eligible to apply as long as it can provide any of the following documentation in support of its independent operations: (a) statutes or other legal

documents confirming the independent authority of the sub-CCM; (b) international agreements or conventions that recognise the independent nature of the Sub-CCM's territory; and (c) proof of the CCM's acceptance of the sub-CCM's independence. The SRP recommended that the guidelines be revised to ensure that Sub-CCMs and their respective CCMs justify the programmatic need for the sub-CCM as a complement to the national CCM. The SRP said this would prevent “the creation of multiple coordinating mechanisms in any single country and promote the coordination of

proposals at a national level.”

RCM Andino

RCM Andino, which covers certain countries in South America, was deemed ineligible, not because it failed to meet any of the requirements outlined above, but rather because it failed to obtain endorsements of its proposal from all of the national CCMs in its region.

B. Applications from regional organisations

Eight Regional Organisations (ROs) applied in Round 8, all for HIV/AIDS proposals. The SRP determined that only three ROs were eligible because the others had failed to submit endorsements from national CCMs in all of the countries included in their proposals.

The SRP commented as follows:

“Regional Organizations are a potential force in the effort to mobilize demand to fight HIV/AIDS, TB and malaria. Being cross border and multi-country in nature, these proposals could complement national programs and help prioritize activities otherwise excluded or ignored due to in-country politics, negative attitudes and/or ongoing stigma and discrimination. Unfortunately, very few of these proposals [reach the TRP] due to ROs inability to secure CCM endorsements.”

C. Applications from Non-CCMs

In its “Report of the Round 8 Screening Review Panel,” the Global Fund provided details of the screening that was done on the 20 applications submitted by Non-CCMs. The Global Fund actively discourages applications from Non-CCMs. It only accepts Non-CCMs proposals if they are from countries:

- that are without legitimate governments;
- that are in conflict, facing natural disasters, or in complex emergency situations; or
- that suppress or have not established partnerships with civil society and non-governmental organisations.

If a Non-CCM submits an application on the basis that its country suppresses or has not established partnerships, it has to demonstrate that it contacted the CCM in an attempt to get its suggestions included in a national proposal.

At 20, the number of applications from Non-CCMs in Round 8 was up from the 16 applications in Round 7, but was still considerably lower than in earlier rounds. Non-CCM proposals were received from applicants in 13 countries, almost twice the number of countries for Round 7.

The SRP deemed all 20 applicants ineligible. It said that none of them met the criteria; that all 13 countries has functioning CCMs with civil society representation; and that none of the applicants proved that they had contacted their respective CCMs. The SRP said that 19 of the 20 applicants did not even explain why they had applied outside their CCM.

Despite the fact that no Non-CCM proposals were deemed eligible, the SRP said that “the non-CCM window remains an opportunity for groups marginalized as a result of stigma and discrimination in government policies.” The SRP recommended that proposals from Non-CCMs be examined more closely and that consideration be given to changing the proposal guidelines to make Non-CCM proposals eligible if they are addressing the needs of vulnerable populations that have been left out of the national response. The SRP also recommended that the Secretariat develop a fact sheet providing more guidance for Non-CCMs and to “increase their chances at meeting compliance.”

Editor’s note: Most of the information for this article came from the “Report of the Round 8 Screening Panel.” Supplementary information was obtained from the Global Fund Secretariat. The following article is a Commentary on this whole process.

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