



Independent observer
of the Global Fund

“ETHICS AT THE GLOBAL FUND MEANS ADVANCING OUR MISSION OF ENDING THE EPIDEMICS”

Ethics is a cornerstone of the Global Fund. The Fund’s creation was intrinsically an ethics-based decision writ large: the world’s answer to the ethical question of how to enable equitable access to life-prolonging care and treatment, for those living with the world’s three biggest killer infectious diseases, to those who previously did not have such access.

But ethics for the Global Fund did not stop with its creation or implementation of its first round of grants. The Fund faces a range of ethical dilemmas on a daily basis, from the highest strategic level to the most concrete, daily operational level: How should investments be split between prevention and treatment? Should they be allocated equally across all people affected by the diseases or invested where they will save the most lives? Will people receiving funds be objective in deciding how those funds are spent? How does the Global Fund use patient data responsibly to inform programming? Should the Global Fund partner with organisations whose products might harm health if misused? Should a life-saving programme be suspended if the implementer is unable to dispose of medical waste safely? These are just a sampling of the daily ethical challenges the Fund faces.

The Global Fund Board adopted an Ethics Policy in 2002, shortly after its creation – what the Fund called its first “standard guidance to address the need of managing the diverse interests of its decision-makers”. It introduced the Ethics and Integrity Initiative in 2014. One product of that initiative was the creation of the Ethics and Governance Committee in 2016, and then the establishment of the Ethics Officer role, with

Nick Jackson starting as the Fund's first Ethics Officer in May that year. Prior to that, some ethics work had been carried out by the Legal department.

The GFO sat down with Nick Jackson to begin exploring the role of the Ethics Office across the Global Fund partnership. What follows is an edited transcript of that interview.

GFO: How would you define 'ethics'? What comes to mind when you are asked to identify examples of 'ethical' and 'unethical' behaviours?

Nick Jackson: Ethics are central to the decision-making process and oversight. The definition of 'ethics' is the process of working out the right thing to do in a given situation. It's about how we make decisions. We need to apply a range of moral principles – what are the rules, what do our internal virtues tell us, and what will be the consequences of the decision?

Ethics comes from the Greek work 'ethos', which roughly translated means what is acceptable in our society. This raises the challenge that ethics is dynamic, as society's expectations change – think about the #MeToo movement and Extinction Rebellion. Ethical norms can also vary widely based on geography, beliefs, etc. We operate globally, so we have to be agile in developing our standards, confident in applying them in contexts where there may be very different norms of behaviour and at the same time sensitive to that context.

GFO: The ethical concept behind the Fund's creation is clear, but how does 'ethics' get put into practice at the Global Fund?

Nick Jackson: The ethics programme was established to embed the Ethics and Integrity Framework into the Fund's day-to-day operations and decision-making. The programme has been in place since 2016, is facilitated by the Ethics Office, and focusses on training and awareness-raising, impartial advice on Codes of Conduct and ethical dilemmas faced by stakeholders, integrity due diligence [see next paragraph], conflict-of-interest management, setting standards and policies, and responding to misconduct. It works across the Board and Committees, Secretariat and in support of our grant operations.

Firstly, we want to work with people and organisations who commit to ethics. To help this we have embedded a program of integrity due diligence where we look at the track record of individuals and organisations we are considering working with, so that decision-makers can be well informed about the integrity risks they are taking on.

Secondly, a key enabler of ethics is a 'fearless' but respectful culture where everyone can contribute fully, confidently put their views forward, call out breaches of our Codes of Conduct and respectfully debate the

challenging topics that we have to deal with. Given our wide national, gender and professional diversity we need to make sure we hear all the voices in the room. Our attitude also needs to be outward-facing and forward-looking so that we are able to consider the broad range of factors which will need to be in place to get us to 2030.

Thirdly, we need appropriate risk-based programs for specific ethical risks. The first thing that comes to people's minds when asked about ethics is often headlines about 'unethical' behaviour by individuals or organisations. This can sadly be a long list: corruption, conflicts of interest, child labour, abuses of power, sexual exploitation, leaks of personal data, irresponsible promotion of products that can harm health, and environmental damage have all been reported as 'unethical'. We collaborate with the Risk department and others to make sure that the Global Fund broadly addresses these in a prioritised way. For example, to protect the independence of decision-making we have conflict-of-interest processes in place for the Board, the Technical Review Panel (TRP), the Technical Evaluation Reference Group (TERG), the Secretariat, and CCMs. To prevent conflicts of interest turning into corruption the Ethics Office adds to the already strong anti-corruption framework in the Global Fund by providing training and advice on good-practice anti-corruption controls. We are also continuing to strengthen the framework for preventing abuses of power and all forms of harassment.

Finally, and most importantly, we need a framework for including ethical considerations in decision-making because rules alone are not enough, especially where there is more than one 'right' answer. A framework for ethics in decision-making encourages us to consider all stakeholders, balance consequences with rules, consider long term vs. short term impacts, etc. All of this must be tested against the impact on the mission and broader achievement of the SDGs."

GFO: What effect has the 2019 Office of the Inspector General audit of the ethics and integrity framework had on the role or functions of the Ethics Office? And, looking forward into the Global Fund's near future, what do you see as areas of development for the Ethics Office?

Nick Jackson: There is plenty more still to do. The [2019 OIG audit of the ethics and integrity framework](#) identified areas to focus on going forward – completing the build-out of the frameworks for key topics such as abuses of power and anti-corruption, further clarifying responsibilities and accountabilities for the broader range of ethical risks, and updating Codes of Conduct. The audit was a positive learning experience for all involved. However, we need to be careful as there are widely varying expectations about how much the Global Fund can and should do. Ethical standards are like setting a speed limit – most good people will try to observe the speed limit. However, some of our stakeholders will expect us to put a few speed bumps in place, whereas others will expect us to put an officer on every corner with a speed camera. We need to have a mature conversation about risk prioritisation, accountabilities and the extent of our influence as we continue to roll out the programme. That said, I'm really looking forward to getting stuck into these further improvements over the next 12 months and beyond. Grant implementation is an area we need continued focus on given the nature of our relationship with implementers – it's early days in assessing and influencing their ethics and compliance programmes. Many already have strong programmes in place, but others less so. The [ethics work relating to CCMs](#) is a starting point.

To be successful in our mission of ending the epidemics by 2030 everyone in the Global Fund partnership needs to live our values and consider ethics in their decisions and actions – with the acid test being ‘does my behaviour or this decision move us closer to ending the epidemics by 2030 and closer to SDG3?’

GFO: You’ve outlined several main areas in which the Ethics Office has put concrete processes in place; at a more conceptual level, how would you describe the role of the Ethics Office?

Nick Jackson: The Ethics Office is at the service of the Global Fund’s mission, and the work it undertakes aims to advance the Global Fund’s strategic objectives. In practice, this means that the office is a resource to support individuals in considering and taking the most appropriate action or decision in their Global Fund roles, and in integrating an ethical mindset into their work. Ethics for me is about setting and raising the bar for our conduct and our decision-making. We want to make sure that no-one falls below the bar, but we also need to keep raising it.

Editor’s note: For comments or ideas related to ethics or related topics you would like to see covered in the GFO, please contact ethics@theglobalfund.org or adele.sulcas@aidspan.org.

Further reading:

- Global Fund [Ethics and Conflict of Interest policy](#)
- Global Fund [Codes of Conduct](#) (for recipients of Global Fund resources, suppliers, CCM members, and governance officials)
- [‘OIG Audit: Managing Ethics and Integrity at the Global Fund’](#)(GF-OIG-19-016, 18 September 2019)
- Commitments made by Gavi, the Vaccine Alliance, and the Global Fund to address [sexual exploitation and abuse and sexual harassment](#)

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