



Independent observer
of the Global Fund

GLOBAL FUND PROMISES A MAJOR EFFORT TO EXPAND INVESTMENT IN HUMAN RIGHTS PROGRAMMING

As far back as Round 10, applicants were asked to indicate how their proposals would help to create an enabling policy and legal environment, and address issues of human rights related to repressive laws and policies. However, with the advent of the new funding model, the Global Fund has become more prescriptive in terms of what applicants should include in their concept notes, and has provided considerably more guidance on how to address human rights issues. Nevertheless, the Fund plans to step up its efforts to persuade countries to invest in human rights programming.

The guidance is outlined in two key documents:

- the [Standard Concept Note Instructions](#) that accompany the concept note templates; and
- an 18-page [Core Human Rights Information Note](#) on Human Rights, TB, Malaria and HSS Grants (February 2014)

In addition, a 4-page [Focus on Human Rights](#) document was recently released. It summarizes the work undertaken to date, and outlines some new directions.

In their concept notes, applicants are required to identify human rights barriers to health services and are strongly encouraged to include seven practical programs to address the barriers:

- human rights and ethics training of health care workers;
- stigma reduction;
- sensitization of police and judges;
- legal and human rights literacy;
- legal services;

- empowerment of women and girls; and
- law reform.

In its Focus on Human Rights document, the Global Fund describes three grants that contain some of these programs: (a) a TB/HIV grant in Botswana that provides human rights training for police and judges so they apply the law in a way that supports access to health services; (b) human rights and literacy training for peer educators and community-based organizations as part of a push to expand testing and treatment for TB and HIV in Malawi; and (c) a program in South Sudan to train health care workers to respond instances of gender-based violence.

However, as expressed in Mark Dybul's recent report to the Board (see [GFO article](#)), the Global Fund is concerned that, overall, investment in these programs remains too small, and too few countries have included them. GFO has been informed that moving forward, the Global Fund will therefore make a major effort to expand investment in these programs.

In addition to funding programs that remove human rights barriers to access, the Global Fund has established minimum human rights standards that implementers commit to when they sign grants. The standards are as follows:

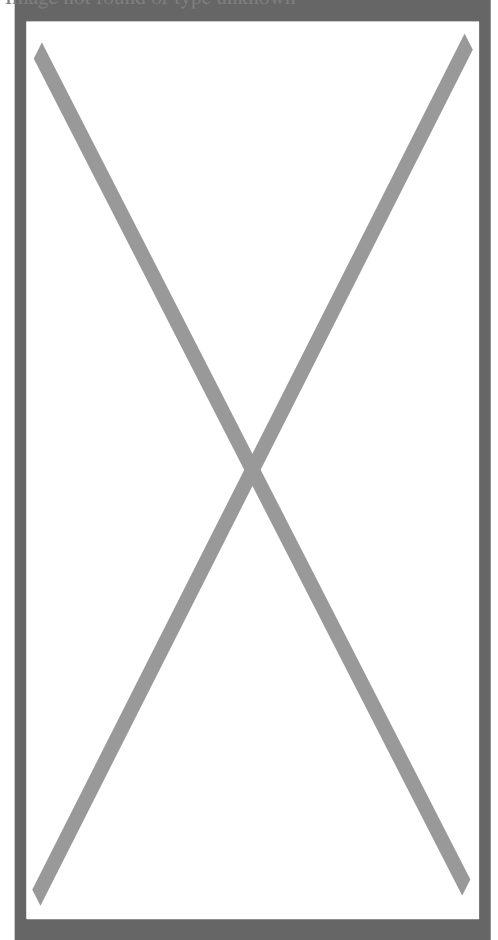
- non-discriminatory access to services for all, including people in detention;
- employing only scientifically sound and approved medicines or medical practices;
- not employing methods that constitute torture or that are cruel, inhuman, or degrading;
- respecting and protecting informed consent, confidentiality and the right to privacy concerning medical testing, treatment, or health services rendered; and
- avoiding medical detention and involuntary isolation, to be used only as a last resort.

Under a human rights complaints procedure established by the Global Fund, individuals and groups can submit a complaint to the Office of the Inspector General if they believe that any of the human rights standards above have been violated by an implementer.

Ideally, human rights programs such as those described above should be included in national strategic plans. Where this has not been done, the Global Funds says that the country dialogue offers a second opportunity to consult with key populations, people living with the diseases and human rights experts. The Core Human Rights Information Note includes a long list of questions that can be posed during the country dialogue to identify human rights barriers to accessing services.

The Focus on Human Rights document provides the example of Belize, where the significant engagement of key populations in the country dialogue resulted in over 10% of the \$3.5 funding award being invested in programs to increase access to justice; train health care professionals on human rights and HIV; support communities to monitor human rights related to health; and build the institutional capacity of a transgender network in its infancy.

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Within the Community, Rights and Gender unit in the Secretariat, there are two staff persons on the human rights team – Ralf Jürgens, who joined the Global Fund in May 2015 as Senior Coordinator, Human Rights; and Hyeyoung Lim.

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