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## Head of PEPFAR Chosen as Chair of Key Global Fund Committee

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 Fransen 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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