



Advisory Review

Removing human rights-related barriers:

Operationalizing the human rights aspects of Global Fund Strategic Objective 3

GF-OIG-19-023
November 2019
Geneva, Switzerland

Table of contents

Executive Summary	2
1. Introduction	5
2. Objectives, methodology and scope	6
3. The journey so far: progress in promoting and protecting human rights	8
4. Journey ahead: addressing key challenges	13
4.1. Aligning human rights investments and understanding with corporate priorities	14
4.2. Clarifying roles and responsibilities to drive Strategic Objective 3	19
4.3. Improving monitoring and reporting of human rights-related investments	24

Executive summary

Stigma, discrimination and punitive laws and practices have long blocked national responses to HIV, TB and malaria. Recognizing that maximum impact in the fight against the three diseases cannot be achieved without taking the human rights of beneficiaries into account, **the Global Fund has elevated its commitment to removing human rights-related barriers to accessing services to the highest level as a strategic objective**; the 2017-2022 Strategic Objective 3 is to Promote and Protect Human Rights and Gender Equality.

The Global Fund is one of the leading organizations to include the removal of human rights-related barriers to services among its strategic objectives. It contributes to the promotion and protection of human rights by taking a human rights-based and gender-responsive approach to addressing HIV, TB and malaria and commits to integrate human rights principles – participation, equity, accountability and transparency – into the design, implementation, monitoring and evaluation of health programs. It also empowers vulnerable and key populations through specific programs to address their vulnerabilities and needs. The Global Fund has also allocated dedicated funding to operationalize its commitments.

- In 20 countries, selected through a consultative process, a **“Breaking down barriers” initiative is seeking to put in place comprehensive programs to remove human rights-related barriers to services**. Baseline assessments are being finalized and US\$45million has been dedicated to scaling up programming in these countries through matching funds and a Strategic Initiative.
- Global Fund **policies and the policy-making process are being reviewed** to determine any additional areas where human rights considerations can be included.
- All Global Fund-supported programs are required to meet minimum human rights standards aimed at guaranteeing that Global Fund investments do not infringe upon human rights, that they increase access to quality services and maximize the potential impact of health interventions.
- In July 2019, the Global Fund announced “CRG Accelerate”, a re-organization of the Community, Rights and Gender department intended to provide more effective and focused support to the Secretariat on human rights, gender and communities.
- The Board, Strategy Committee and Management Executive Committee receive updates on human rights aspects in the Global Fund programs through dedicated sessions and deep dives on investments and performance updates.

Despite this strong commitment, the Global Fund currently does not have the systems in place to easily report on the total funding allocated to removing human rights related barriers. The total funding has not been measured but it is estimated that **US\$123 million of Global Fund funding has been invested to remove human rights-related barriers in the current 2017-2019 allocation cycle**.^{*} For middle-income countries, this is at least four times more than the previous allocation cycle (2014-2016). For the 20 countries eligible for matching funds, investments have increased more than sevenfold, indicating the importance of matching funds as a driver for increasing human rights-related investments.

For the first time, **the Global Fund has a specific KPI (KPI 9) that aims to measure the investments** (both grant investments and domestic investments) that are dedicated to **removing human rights-related barriers**. It also aims to measure the impact of human rights programming in a small subset of countries.

Removing human rights barriers to health services is a global challenge, requiring partnership and investment from countries, donors, civil societies and implementers. The Global Fund has accordingly forged partnerships towards this strategic objective, and is leveraging them further through the initiatives like the “Breaking down barriers” project, to achieve the desired progress and results.

The Secretariat has recently conducted an exercise to identify and align the strategic priorities across different portfolios for the next grant cycle, intended to increase Human Rights related investments in future funding requests.

Given the strategic value placed on removing human rights-related barriers and the importance that the organization places on this to achieve disease impact, **it is crucial that the Global Fund has effective mechanisms, systems and processes in place to successfully operationalize the strategy**.

^{*} See page 9 for methodology and assumptions.

Executive summary

This advisory review identifies opportunities for the organization to further strengthen its approach to human rights through:

1 Aligning human rights investments and understanding with corporate priorities

The Global Fund aims to focus its investments where needs are greatest and where it has the potential to achieve the biggest impact in the fight against the three diseases. The Global Fund also recognizes that **to maximize the impact of its investments, it is essential to address human rights-related barriers**. However, some of the countries where the Global Fund has the largest allocations (the high impact countries) have limited human rights-related investments.

The “Breaking down barriers” initiative was rolled out in 20 countries, which were selected through a consultative process between the Global Fund and partners; however it excluded certain mission-critical countries. Future prioritization and allocation for human rights considerations can benefit from higher alignment with disease burden, portfolio investments and the need to address human rights barriers.

The OIG review found a general consensus throughout the organization that human rights considerations are important to the Global Fund. However, there is a need to strengthen the **collective and coherent understanding across the organization of what it means specifically to “remove human rights-related barriers”**, in comparison to promoting “health as a human right” more broadly. Whilst the two concepts are complementary, they are different and failure to sufficiently appreciate this difference and complementarity could contribute to a risk of specific and targeted investments to remove human rights barriers not being sufficiently prioritized. The “Breaking down barriers” initiative is a flagship project to remove human rights-related barriers, and receives meaningful Board and management support. However, it could have benefited from higher operational focus and prioritization.



RECOMMENDATIONS:

Categorize countries according to priority and provide differentiated support to each category

- **Categorize all countries according to their need to address human rights-related barriers (high/medium/low).** Ensure that mission critical countries with significant human rights barriers and countries participating in the “Breaking down barriers” project are included in the top priority category.
- **Develop differentiated support frameworks and requirements for human rights programming for each category**, with the highest level of support and requirements to top priority countries. This can include dedicated CRG support, technical assistance, requirements for mandatory identification and actions to address human rights-related barriers in funding requests.

Align understanding of corporate priorities to remove human rights-related Barriers

- **Raise awareness, communicate priorities and build capacity** of staff to improve their understanding of the organizational priorities to remove human rights-related barriers.
- **Define and track data-driven evidence** to assess the impact of human rights investments.
- **Improve management and reporting of human rights risks** at corporate and grant levels.

Executive summary

2 Clarifying roles and responsibilities to drive Strategic Objective 3

Addressing human rights-related barriers to accessing services requires careful coordination, assignment of roles and responsibilities, and buy-in throughout the organization.

The Global Fund Community, Rights and Gender (CRG) department human rights team currently provides **both strategic direction and operational-level support**, but has **limited resources**. There are limited capacity building initiatives and operational-level human rights support integrated in the Grant Management Division that can support both country teams and implementing countries.

Given the limited structure and processes to ensure ownership, accountability and coordination of the human rights agenda within the Secretariat, **the accountability structures related to human rights and SO3 could be improved**.



RECOMMENDATIONS:

- **Formalize organizational roles and accountability** structures relating to human rights, including CRG, Grant Management Division and other departments accountable for KPI 9.
- Place dedicated **human rights technical experts** in Grant Management, to provide support in designing and implementing human rights programming.
- Building on the corporate mapping of business processes, **ensure appropriate inclusion of human rights-related considerations in other key grant processes**, according to the RACI (Responsible, Accountable, Consulted, Informed) structure.
- **Build human rights-related capacity** of relevant parts of the organisation and embed human rights in role expectations and performance objectives.

3 Improving monitoring of human rights-related investments and outputs

The Global Fund is currently unable to fully measure human rights-related investments. Limited indicators means that **limited mechanisms are in place to measure the absorption and results of the related investments**, making it challenging to track progress.

A dedicated KPI (KPI 9) measures human rights investments, an improvement compared to the previous funding cycle and an important first step towards comprehensive KPI reporting on human rights. However, it **focuses primarily on the level of investments rather than the performance** (aspects of performance are only measured for a handful of countries) and does not cover the entire portfolio.

The process for reporting on KPI 9 does not rely on routine reporting or the current M&E framework, making it **cumbersome and labor-intensive**.



RECOMMENDATIONS:

- **Refine methods for measuring investment and results** of human rights-related investments.
- **Revise KPI 9 to measure performance and expand** coverage to the broader Global Fund portfolio.
- **Review and automate methods for data collection and analysis** for KPI 9b and 9c. For KPI 9b, automate the data collection process through mapping of human rights-investments in the corporate data warehouse; reposition CRG's role towards data validation and analysis of trends and embed data reporting within operations teams. For KPI 9c, improve data availability through requirements related to reporting on domestic financing for human rights.

1. Introduction

Promoting and protecting human rights: at the heart of Global Fund strategy

The Global Fund's 2017-2022 Strategy states:

“

Human rights barriers, stigma and discrimination undermine an effective response to the three diseases. Promoting and protecting human rights is essential to ensure that countries can control their epidemics, scale up where needed, and sustain their gains.

The World Health Organization Constitution (1946) envisages “...the highest attainable standard of health as a fundamental right of every human being.”

Today, however, **stigma, discrimination and human rights-related barriers prevent people living with HIV, tuberculosis and malaria from seeking and accessing healthcare.** Key and vulnerable populations are often at a bigger risk of contracting the diseases, and face greater barriers to services. To achieve impact in the fight against the diseases, human rights-related barriers must be identified, analysed, addressed and overcome.

The Global Fund has acknowledged the importance of addressing the needs of marginalized populations and communities, and has progressively taken steps towards prioritizing the removal of human rights-related barriers. In the 2017-2022 Global Fund Strategy, **Promote and Protect Human Rights and Gender Equality** is one of four strategic objectives. The Global Fund is unique among partnership-based health organizations in elevating human rights to an explicit strategic priority*.

In spite of efforts made, the Global Fund acknowledges the need to do more. The **Report of the Executive Director** (40th Board meeting in Geneva, 14-15 November 2018) states:

“

Yet we need to further embed Human Rights components in our core programming [...]. Furthermore, while there have been advances, the stark reality is that too many countries have done nothing to reduce such barriers, and there have even been some shifts in the wrong direction.

* Benchmarking strategies for UNAIDS, UNDP, UNICEF, WHO, GAVI, Roll Back Malaria, StopTB

2. Objectives, methodology and scope

OBJECTIVES

Given the strategic significance that the Global Fund places on removing human rights-related barriers in order to maximize impact, the Office of the Inspector General (OIG) conducted this advisory engagement to assess how the commitment to removing human rights-related barriers is being operationalized, and to provide recommendations on further improvements.

The OIG conducted the advisory engagement to provide the Global Fund Secretariat with an assessment and recommendations on:

- the **readiness** of the organization to **deliver** on the Human Rights-related aspects of SO3 **through grants, key processes and staff capacity building**;
- the mechanisms of **governance, accountability and responsibility** for the Human Rights related aspects of SO3, including through performance measurement (KPI9). KPI9 includes both human rights and key populations aspects. The key populations aspects were not included in the scope of the advisory.

SCOPE EXCLUSIONS

- In July 2019, the Global Fund announced “CRG Accelerate”, a re-organization of the CRG department with the intention to provide more effective, focused and embedded support and advice to the Grant Management Division and other parts of the Secretariat. The re-organization was announced after this advisory review was completed and it has not been included in the scope of the review.
- With respect to SO3e, the advisory review focused on the integration of human rights considerations throughout the grant cycle, including roles and responsibilities, incorporation of human rights issues during grant-making and implementation processes, as well as monitoring, reporting and oversight of investments. It did not include grantees’ adherence to the five human rights standards or the related complaints mechanism, which was reviewed by CRG, with support from the OIG, in 2018. Aspects related to human rights considerations in policies and the policy-making process were not covered, as the Secretariat had contracted an external consultant to review this concurrently with this advisory review.

METHODOLOGY



A two-level approach was adopted for the review:

- **Organizational level:** Review of Secretariat-wide processes, systems, investments and initiatives in place to operationalize the human rights-related aspects of SO3.
- **Portfolio-level:** in-depth review of a sample of grants to assess the effectiveness of these frameworks and arrangements, and to identify successes and challenges of country teams and in-country stakeholders.



The review was conducted through:

- **Data analysis** of human rights-related investments
- **Desk-based review** of grant documentation, internal Secretariat documentation and external communications and information
- **Mapping of processes**, ongoing initiatives and divisions of responsibility
- **Working sessions** with Global Fund country teams and technical teams
- **Interviews** with Global Fund management at Management Executive Committee level and below
- **Consultations** with Board, Committee members, Technical Review Panel and other stakeholders
- **Interviews** with key population representatives in implementing countries

With several human rights-related initiatives currently ongoing, the OIG collaborated closely with different Secretariat teams to ensure synergies and complementarities with their work, and to avoid duplications.

2. Objectives, methodology and scope

SAMPLE OF GRANTS

15 grants in 10 countries were selected to include:

- all geographical regions where the Global Fund operates
- all three diseases
- all three investment categories (high impact, core and focused)
- Countries classified as “challenging operating environments” (COEs) and those that are not
- Both low and middle-income countries
- A mix of countries included and excluded from the project “Breaking down barriers”

FIGURE 1
THE GRANT SAMPLE REPRESENTS

	 HIV	 TB	 Malaria
Number of grants	7	4	4
Disease coverage *out of global burden	34%	46%	31%
Allocation coverage *out of total Global Fund allocation	23%	26%	17%
Human rights investment coverage *out of total investments inside the human rights modules	34%	11%	86%

Source: Detailed grant budgets, NFM2 grants

FIGURE 2
COUNTRY SAMPLE COMPOSITION

Country	Income category	COE	Region	Portfolio Category	“Breaking down barriers” country	Disease grant in sample
Uganda	LI		HI Africa 2	HI	Yes	HIV & Malaria
India	LMI		HI Asia	HI		TB & Malaria
Indonesia	LMI		HI Asia	HI	Yes	TB
Guatemala	LMI		LAC	Core		HIV, TB & Malaria
Jamaica	UMI		LAC	Focused	Yes	HIV
Nigeria	LMI	Yes	HI Africa 1	HI		TB & Malaria
Tanzania	LI		HI Africa 2	HI		HIV
Democratic Republic of Congo	LI	Yes	HI Africa 1	HI	Yes	HIV
South Africa	UMI		HI Africa 2	HI	Yes	HIV
Ukraine	LMI	Yes	EECA	HI	Yes	HIV

Source: OIG analysis, World Bank data

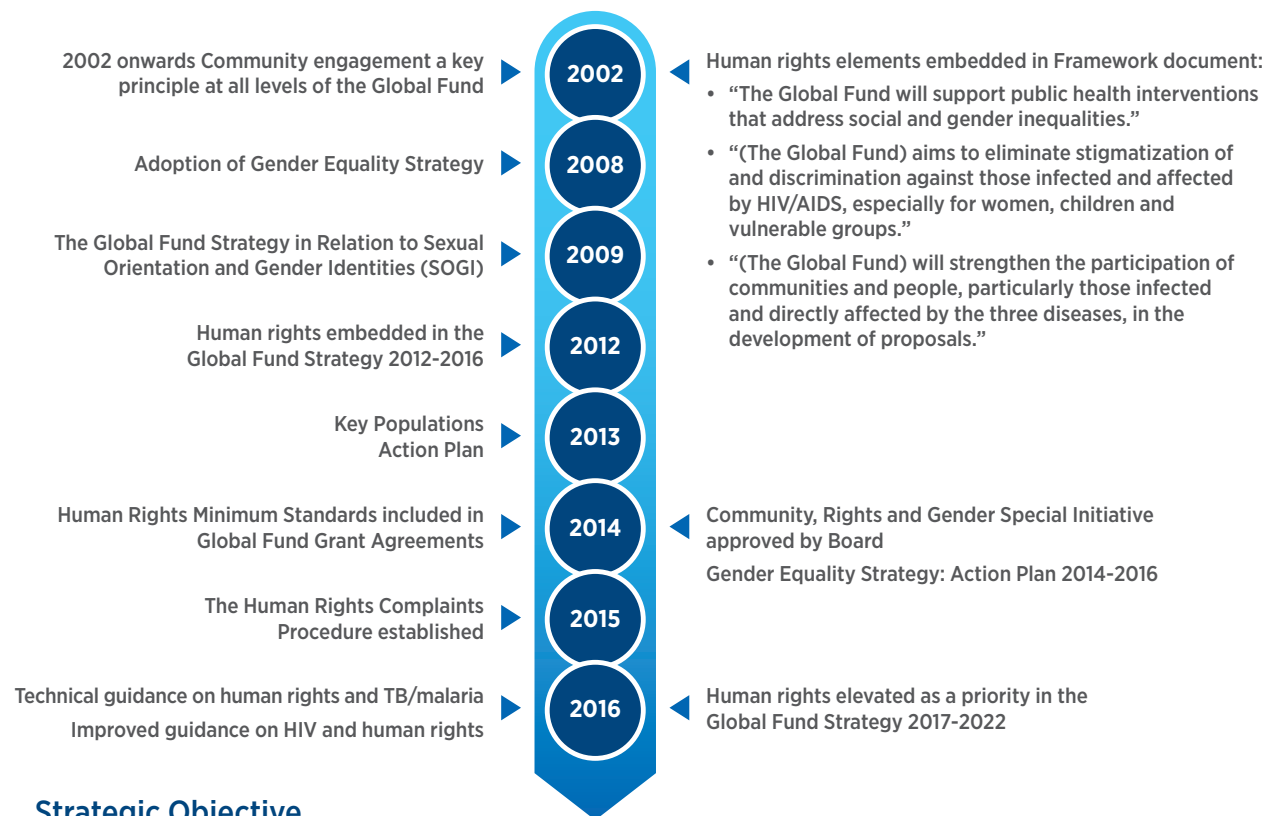
COE: Challenging operating environments
LI: Low income
LMI: Lower middle income

UMI: Upper middle income
HI: High impact

LAC: Latin America and Caribbean
EECA: Eastern Europe and Central Asia

3. The journey so far: progress in promoting and protecting human rights

FIGURE 3
HISTORY OF HUMAN RIGHTS AT THE GLOBAL FUND



Strategic Objective

The Global Fund has elevated the commitment to removing human rights-related barriers in implementing countries to the highest level – the Global Fund Strategy. While the previous Strategy included an objective to protect human rights, the current Strategy demonstrates an increased commitment in terms of both ambition and level of detail. It clarifies the importance of **scaling up programs to removing human rights barriers** to access of services, and **integrating human rights considerations throughout the grant cycle**.

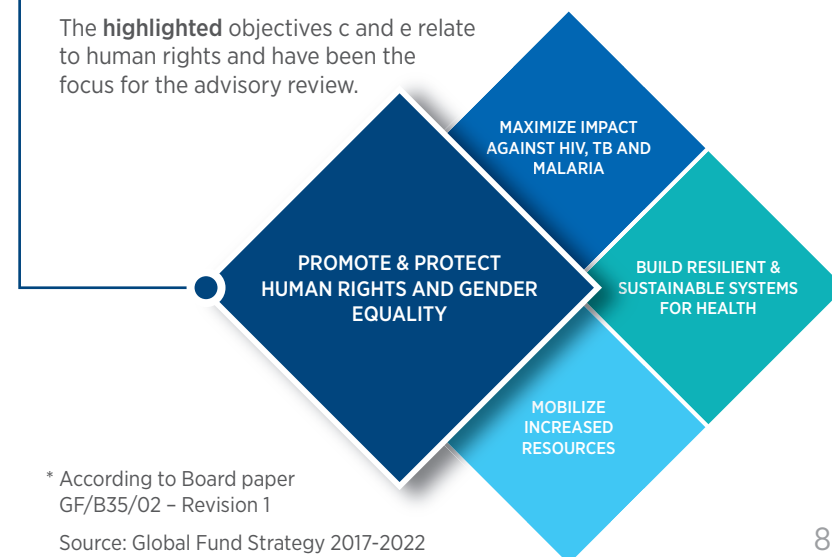
Source: Global Fund 5th Strategy Committee Meeting 11-13 October 2017

FIGURE 4
SO3: PROMOTE AND PROTECT HUMAN RIGHTS AND GENDER EQUALITY

Each Strategic Objective is operationalized through a number of Operational Objectives. Strategic Objective 3 has the following Operational Objectives*:

- Scale up programs to support women and girls, including programs to advance sexual and reproductive health and rights
- Invest to reduce health inequities, including gender- and age-related disparities
- Introduce and scale up programs that remove human rights barriers to accessing HIV, TB and malaria services.**
- Support meaningful engagement of key and vulnerable populations and networks in Global Fund-related processes.
- Integrate human rights considerations throughout the grant cycle and in policies and policy-making processes**

The **highlighted** objectives c and e relate to human rights and have been the focus for the advisory review.



* According to Board paper
GF/B35/02 – Revision 1

Source: Global Fund Strategy 2017-2022

3. The journey so far: progress in promoting and protecting human rights

Key Performance Indicators

The KPI framework 2012-2016 included a KPI on human rights protection, but it only measured the percentage of human rights complaints validated and resolved.

Since 2017, a dedicated **KPI on human rights** has measured:

- comprehensive programming** to remove human rights-related barriers in a sub-set of countries,
- Global Fund investments** to remove human rights-related barriers in middle-income countries, and
- domestic investments** dedicated to removing human rights-related barriers in upper-middle-income countries.*

Investments to remove human rights barriers are increasing

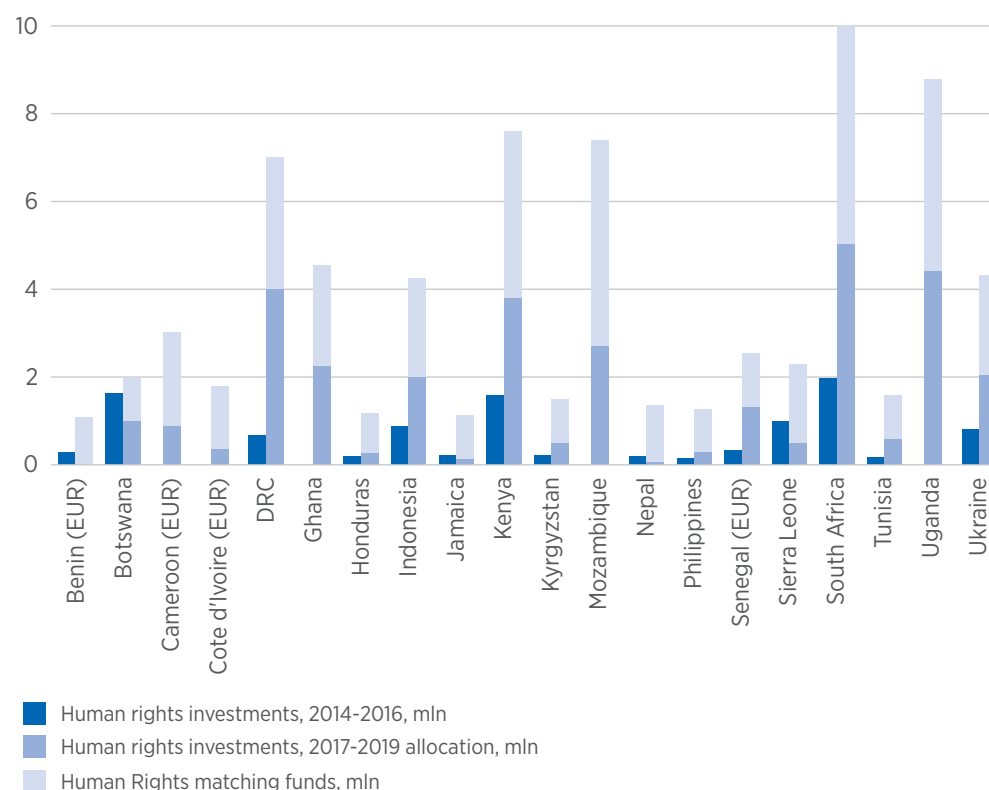
- The Global Fund invests approximately US\$123 million** to remove human rights-related barriers in the 2017-2019 allocation cycle.
- This represents an over **4-fold increase in human rights investments for middle-income countries** between the previous and current cycles.
- For countries in the “**Breaking down barriers**” initiative, who also had access to **matching funds**, increases have been even larger. These countries had an **over 7-fold increase**, as shown in figure 5.

* KPI details in Section 4.3 [pages 24-28]

** Data sources and assumptions:

- % of Human rights module investments (A) is calculated from detailed budgets under ‘Programs to reduce human rights related barriers’.
- % of Human rights investments falling outside the module (B) is calculated through the KPI9b methodology and reporting for 56 countries for HIV and 11 for TB (31 Jan 2019).
- Countries with human rights module investments (A) which are not included in the KPI9b methodology are assumed to spend the same percentage on (B)
- For countries which are not included in KPI 9b methodology, the actual human rights investments outside human rights module are not known. They are estimated by calculating the overall %age of investments outside human rights module found for 56 HIV and 11 TB countries included in KPI 9b, and applying that %age to those other countries that also have investments inside the human rights module.

FIGURE 5
INCREASE IN HUMAN RIGHTS INVESTMENTS FROM NFM1 TO NFM2
FOR MATCHING FUND COUNTRIES



Source: End-2017 Key Performance Indicator Results and CRG analysis of Global Fund NFM1 and NFM2 budgets

3. The journey so far: Initiatives, funding and support

The “Breaking down barriers” initiative in 20 countries

A project has been established to scale up the **support provided to 20 countries in designing and implementing comprehensive programming** to remove human rights-related barriers (see figure 6).

Baseline assessments were completed or ongoing in all 20 countries to understand barriers*, existing programs to remove them, a comprehensive response and related costs. Multi-stakeholder meetings to validate the assessment and to develop a joint comprehensive response are currently being conducted, and five-year implementation plans aligned with national disease strategies will follow from these meetings. Four countries had already adopted such plans at the time of this review. CRG provided dedicated support to the Secretariat during grant-making for some of the countries. Support will continue throughout the implementation of the plan. Mid and end-term assessments will be conducted.

The project also aims to convene external stakeholders to achieve a comprehensive national response to removing human rights-related barriers. The baseline assessments therefore proposed costed interventions not only for the Global Fund, but for all partners operating in the country. The multi-stakeholder meetings and the implementation plans are joint efforts by all stakeholders.

Catalytic investments

In the 2017-2019 allocation cycle, the Board approved specific funding to remove human rights-related barriers in addition to regular grant funding.

■ **Matching funds of US\$45 million** (on top of regular grant funding) were made available to the countries in the “Breaking down barriers in 20 countries” initiative for the 2017-19 cycle. No other countries apart from those participating in the initiative were eligible to apply for these matching funds. All eligible countries who had Board-approved grants at the time of this review had applied for and received matching funds. This has **contributed significantly to scaling up investments in those countries**.

■ **A Strategic Initiative of US\$1.74 million** (from unallocated matching funds) has been established to support the “Breaking down barriers” initiative, with technical assistance and support for multi-stakeholder meetings and mid-term assessments.

* At the time of the review, Kenya’s baseline assessment had been initiated but not yet completed.

FIGURE 6
COUNTRIES AND DISEASE COMPONENTS IN THE
“BREAKING DOWN BARRIERS IN 20 COUNTRIES” PROJECT

			
Country	HIV	TB	Malaria
Benin	●	●	
Botswana	●		
Cameroon	●		
Cote d'Ivoire	●	●	●
DRC	●	●	
Ghana	●		
Honduras	●		
Indonesia	●	●	
Jamaica	●		
Kenya	●	●	●
Kyrgyzstan	●	●	
Mozambique	●	●	
Nepal	●	●	
Philippines	●	●	
Senegal	●		
Sierra Leone	●	●	
South Africa	●	●	
Tunisia	●		
Uganda	●	●	●
Ukraine	●	●	

Source: Global Fund CRG

3. The journey so far: Initiatives, funding and support

Policies, processes and strategic support

As part of its commitment to SO3, the Global Fund is also making efforts to incorporate human rights and wider CRG considerations into business processes. This includes a review of policies and policy-making processes at the Global Fund and a “country priority alignment” project where country-specific priority areas are mapped (including human rights priorities).

Since its creation in September 2013, the Community, Rights and Gender (CRG) department at the Global Fund Secretariat has supported and coordinated work on human rights, gender and communities in relation to Global Fund policies and programs. CRG is responsible for supporting the Secretariat in policy-related matters, supporting

country teams and in-country stakeholders to incorporate and implement community, rights and gender considerations into grant programming and to conduct external stakeholder management and advocacy. In 2019, the CRG department consists of a team of 14 full time staff (with temporary consultant support) and has a budget of approximately US\$2.9 million (around US\$2.5 million for staff costs and US\$0.4 million for operating expenses). At the time of the review, the human rights team in the CRG department consisted of three staff and intermittent consultant support.

FIGURE 7
GLOBAL FUND PROGRAMS TO REDUCE HUMAN RIGHTS-RELATED BARRIERS TO SERVICES

HIV 	TUBERCULOSIS 	MALARIA 
▶ Stigma and discrimination reduction ▶ Legal literacy (“Know Your Rights”) ▶ Training health care providers on human rights and medical ethics related to HIV and HIV/TB ▶ HIV and HIV/TB-related legal services ▶ Sensitization of lawmakers and law enforcement agents ▶ Improving laws, regulations and policies relating to HIV and HIV/TB ▶ Reducing HIV-related gender discrimination, harmful gender norms and violence against women and girls in all their diversity	▶ Reducing stigma and discrimination ▶ Reducing gender-related barriers to TB services ▶ TB-related legal services ▶ Monitoring and reforming policies, regulations and laws that impede TB services ▶ Knowing your TB-related rights ▶ Sensitization of law-makers, judicial officials and law enforcement agents ▶ Training of health care providers on human rights and ethics related to TB ▶ Ensuring confidentiality and privacy ▶ Mobilizing and empowering patient and community groups ▶ Programs in prisons and other closed settings	▶ Human rights and gender assessments ▶ Meaningful participation of affected populations ▶ Strengthening of community systems for participation in malaria programs ▶ Addressing gender-related vulnerabilities and barriers ▶ Improving access to services for refugees and others affected by emergencies ▶ Malaria in people living with HIV ▶ Improved services in prison and pre-trial detention

Source: Technical Briefs on Gender and Human Rights for HIV, Tuberculosis and Malaria

3. The journey so far: Global Fund investments in programs to reduce human rights-related barriers

FIGURE 8
GLOBAL FUND INVESTMENTS IN
PROGRAMS TO REDUCE HUMAN
RIGHTS-RELATED BARRIERS
ACROSS THE GLOBE

The Global Fund invests in removing human rights-related barriers in many parts of the world and for all three diseases.

The map depicts the countries with human rights-related investments in specific human rights budgetary modules in grants.*

Investments can also be integrated in other modules, but these are more difficult to measure and have not been included in the map. The map does not include investments in multi-country grants.

► HIGH IMPACT

Investments in programs to reduce human rights-related barriers module (2017-2019)

Mozambique	● 7,448,733
Uganda	● 8,779,126
Côte d'Ivoire	● 2,983,340 ● 377,662
Indonesia	● 3,821,060
Philippines	● 1,043,964
Thailand	● 712,103
Nigeria	● 250,000 ● 2,707,136
Tanzania (United Republic)	● 692,460
Ethiopia	● 207,008
Congo (Democratic Republic)	● 2,919,350
Ghana	● 1,850,077
Mali	● 9,854
Kenya	● 7,680,957 ● 74,162
Myanmar	● 790,149 ● 18,778
Burkina Faso	● 28,690
Bangladesh	● 249,600
Ukraine	● 1,993,958
Viet Nam	● 550,140
Cambodia	● 523,444

► CORE

Investments in programs to reduce human rights-related barriers module (2017-2019)

Cameroon	● 1,875,876
Lesotho	● 8,885
Guinea-Bissau	● 218,831 ● 28,001
Nepal	● 1,300,000
Senegal	● 12,279
Guatemala	● 985,993 ● 90,200
Afghanistan	● 24,124
Benin	● 1,132,351
Madagascar	● 39,734
Guinea	● 145,252
Niger	● 16,544 ● 58,132
Sierra Leone	● 2,302,798
Sudan	● 44,574
Haiti	● 110,505 ● 45,000

► FOCUSED

Investments in programs to reduce human rights-related barriers module (2017-2019)

Tajikistan	● 104,261
Kyrgyzstan	● 1,090,595
Azerbaijan	● 12,689
Dominican Republic	● 271,682
Morocco	● 208,068 ● 21,077
Sri Lanka	● 26,079
Guyana	● 233,805
Jamaica	● 1,148,670
Paraguay	● 6,556
Tunisia	● 1,571,109
Kosovo	● 87,078 ● 26,731
Egypt	● 27,676
Mongolia	● 128,979
Suriname	● 18,894
Belize	● 18,360
Botswana	● 2,183,229
Panama	● 149,199
Bhutan	● 76,714
Costa Rica	● 271,257

► High Impact ● HIV
► Core ● TB
► Focused ● Malaria

* See page 24 for more details on the budgetary modules.

Source: Global Fund Board approved grants as of 31 January 2019

4. Journey ahead: Addressing key challenges

The Global Fund has made significant progress in its approach towards removing human rights-related barriers, and through the increased funding invested for this purpose. Strategic Objective 3 demonstrates an **increased commitment and ambition to removing human rights barriers**. For the first time, specific **funding has been assigned** to encourage investments in programs to reduce human rights-related barriers, and projects have been initiated to improve the **integration of human rights considerations into processes and policies**.

Going forward, to fully **operationalize and embed** human rights as a strategic priority in organizational **processes, systems as well as reporting and accountability mechanisms**, the Global Fund needs to focus on the following areas :



Aligning human rights investments and understanding with corporate priorities: Align understanding of why human rights matters in the context of the fight against the diseases, ensuring that key countries invest in removing human rights barriers and that the human rights agenda is adequately prioritized.



Clarifying roles and responsibilities for driving the human rights agenda, including those of the Communities, Rights and Gender department and the Grant Management Division. Establish mechanisms to ensure human rights programming is prioritized in grants.



Improving monitoring and reporting of human rights-related investments. Improve mechanisms for tracking progress and results of human rights investments and refine the KPI to improve coverage, reporting mechanisms and focus on performance.



The Global Fund / Georges Merillon



4. Journey ahead: Addressing key challenges

4.1. Aligning human rights investments and understanding with corporate priorities

While the Global Fund increased investments to remove human rights-related barriers in the 2017-2019 allocation period, human rights investments are not aligned with overall corporate investment priorities. Some key countries are not sufficiently prioritized for intensive support to scale up investments and there are misalignments in the understanding and prioritization of human rights-related investments in the organization.

Align future priority countries for programs to reduce human rights-related barriers with disease investments

The Global Fund aims to focus its investments where needs are greatest and where it has the potential to achieve the biggest impact in the fight against the three diseases. The Global Fund also recognizes that in order to maximize the impact of its investments, it is essential to address human rights-related barriers. However, some of the countries where the Global Fund has the largest allocations (the high impact countries) **have little human rights-related investments, potentially limiting the chances of programmatic success**. While the number of countries investing in removing human rights-related barriers has increased in the current funding cycle, these are still in the minority.*

Opportunities to strengthen support for key high impact countries

Efforts to remove human rights-related barriers are concentrated in the 20 countries selected for the “Breaking down barriers”-project (see page 10). The countries were selected in October 2016 through a consultative process between the Global Fund and partners, which considered the needs of affected populations, disease burdens and financial allocations, the feasibility of scale-up and the potential to advance the human rights agenda.

The process resulted in a list of countries which varied widely in terms of geographical spread, income status, disease burden and financial grant allocations, to be able to draw lessons from different contexts. However, some high impact countries with significant disease burdens, high Global Fund allocations and significant human rights challenges were not selected. As a result, those countries have no, or limited, investments to remove human rights-related barriers.

India, accounting for 31% of global tuberculosis burden and almost 7% of the global HIV burden and significant stigma attached to HIV and TB, has virtually no investments to remove human rights related barriers for those two diseases. Neither had Nigeria (until January 2019), a country with over 10% of the global disease burden for HIV.** Ethiopia, another high-impact country with a high HIV burden, invests only 0.3% of its HIV allocation towards removing human rights-related barriers.

Responsiveness from countries and country teams, as well as perceived Global Fund leverage and the overall country environment, were also considered in the selection process and contributed to the final selection of countries. While these considerations are valid, targeted investments to remove human rights-related barriers in high-impact countries, even under challenging conditions, are necessary in order to achieve the Strategic Objective 3 and KPI 9.

While recognizing that investments in programs to reduce human rights-related barriers are made for various reasons beyond disease burden and financial allocation, there is need to drive future human rights investments in some key portfolios, since countries outside of the project don't benefit from:

- Dedicated support from the Global Fund Community, Rights and Gender (CRG)-department technical experts, baseline assessments providing costed recommendations on comprehensive programming, multi-stakeholder meetings to convene on a national approach to removing human rights-related barriers, etc.
- Access to matching funds: matching funds have been instrumental in driving increased investments to remove human rights-related barriers.
- Tracking progress: KPI9a tracks progress in reaching comprehensive programming only in the countries participating in the “Breaking down barriers” project. No other KPIs track programmatic progress on human rights (they only measure investments).

Dedicated support and incentives are drivers for investing in human rights

The “Breaking down barriers” project, and the associated matching funds eligibility, have been instrumental in driving human rights investments in participating countries. Other high-impact countries could have benefitted from receiving similar support, without which disease response and impact could be undermined.

Of the 20 countries in the “Breaking down barriers” project, 90% have dedicated grant funding and/or domestic funding to remove human rights-related barriers. In contrast, for the countries not participating, only 29% have invested grant funding towards removing human rights related barriers.

While countries can choose to include human rights-related investments in grants, irrespective of whether they participate in the “Breaking down barriers” project or not, there are few other mechanisms to ensure that human rights-related investments are prioritized in grants.

* For the 2017-2019 allocation period, 49 out of 120 countries had investments to remove human rights-related barriers for HIV, 15 out of 114 for tuberculosis and 4 out of 72 for malaria (Board approved grants by 31 January 2019). This includes investments within the specific human rights-related budgetary modules only.

** Subsequent to the review, Nigeria budget was board-approved and includes US\$1.5million in programs to remove human rights related barriers to HIV services.



4. Journey ahead: Addressing key challenges

4.1. Aligning human rights investments and understanding with corporate priorities

Need for more targeted focus on removing human rights-related barriers

The Global Fund sees **investments to remove human rights-related barriers** as **necessary** to reach key and vulnerable populations and as **catalytic**, i.e. capable of improving the effectiveness of broader investments in health overall. Several documents and tools elaborate on the importance of introducing and scaling up programs and interventions to remove human rights-related barriers. These include the Global Fund Strategy; the modular framework; technical briefs on human rights and gender for each disease; grant documentation and support from the CRG human rights team. The **Country Teams were appreciative of the enhanced strategic focus on reducing human rights barriers to accessing services** and found the policy framework to be adequate in providing related guidance.

Removing human rights barriers as a critical component of the Global Fund's work on human rights

Country teams and other parts of the Secretariat consulted in this review generally recognize the importance of human rights as a key consideration to maximize the impact of Global Fund investments. The Special Session on human rights during the Board meeting in November 2018 also highlighted a shift towards more long-term and comprehensive human rights-related programming.

Most of the Global Fund's programmatic investments advance the right to health. In particular, the Global Fund makes a major contribution to promotion and protection of human rights by emphasizing the need for all its programming to be human rights-based, gender-responsive and to focus on the needs of key and vulnerable populations as these are disproportionately affected by the three diseases and often left behind.

Whilst acknowledging that improved access to health services is important to promote human rights, SO3c and the related KPIs 9a, b and c also emphasize the need for programs and interventions that are specifically aimed at reducing human rights-related barriers. Further prioritizing, and increasing awareness of the criticality of, specific investments to remove barriers to increase uptake of and retention in services is important to reach the strategic objective and more broadly, achieve greater return on Global Fund's investments.

This was also observed by the Technical Review Panel in its most recent assessment of the 2017-2019 allocation cycle: "Country programs and associated funding requests must pay increased attention to human rights and gender equality and continue to stress community programming that reduces barriers to access [...] **Human rights and gender should require specific plans, not generic ones.**"*

The OIG review identified at least US\$4.4million of grant activities, budgeted within specific human rights-related modules, which did not conform with the Global Fund definition on removing human rights-related barriers. Many of these relate to general outreach activities and service delivery to key population groups. These are important interventions and services but should have been budgeted outside the specific module for programs to reduce human rights-related barriers (see figure 9).

FIGURE 9

EXAMPLES OF INVESTMENTS INCORRECTLY CLASSIFIED AS PROGRAMS TO REMOVE HUMAN RIGHTS-RELATED BARRIERS TO SERVICES

- ▶ Support outreach for sex workers, fisherfolk, or MSMs for service delivery and providing comprehensive package
- ▶ ACTs for public sector facilities
- ▶ LLIN distribution to IDPs

Source: Analysis of detailed grant NFM2 grant budgets

Unclear distinction between human rights and key population activities for HIV

The seven key programs identified by UNAIDS form the basis for the Global Fund's priority to "remove human rights related barriers to accessing services" for HIV (see figure 7). However, there can be a confusion around what constitutes "human rights activities" and what constitutes "key population activities", as many activities to remove human rights related barriers benefit key populations and KPI 9 includes aspects related to key population work (e.g. KPI 9b measures the percentage of investments related to key populations).

The Global Fund Technical Review Panel notes in Lessons learned from the TRP on Catalytic Investments: Matching Funds (March 2018): "Some matching fund requests conflate key populations and Human Rights interventions; a sharper focus is required on recommended Human Rights interventions".

* "Technical Review Panel's observations on 2017-2019 allocation cycle", October 2019, Global Fund Strategy Committee GF/SC11/12



4. Journey ahead: Addressing key challenges

4.1. Aligning human rights investments and understanding with corporate priorities

Risks of different prioritization of human rights-related risks at Global Fund Board and Secretariat levels

According to the Global Fund Strategy, removing human rights-related barriers is essential to achieve impact in the fight against the three diseases. Failure to do so can be a corporate risk to maximizing impact. The Global Fund is addressing this risk through Strategic Objective 3, dedicated projects, catalytic funding and increased human rights investments in grants.

Processes are in place to identify and manage risks at individual grant level, which are consolidated into organization-wide risks. These include the risk “Inadequate promotion of Human Rights and gender equality”.

At the grant level, country teams identify risks, root causes and mitigating actions through the Integrated Risk Matrix (IRM). For human rights risks, risk definitions can benefit from further granularity, and can be supported with defined outcome indicators, to enhance the effectiveness of the IRM in optimally guiding the management of human rights risks. The risk definitions and root causes are being updated as part of the ongoing IRM revision and human rights outcome indicators are being developed, in order to make risk measurements, ratings and responses more comparable and consistent.

Organization-wide risks are reported to the Board on a regular basis through the Organizational Risk Register (ORR). For other risk categories, the ORR is comprised of a weighted average of IRM risks, but this bottom-up consolidation approach is not taken for the human rights risks, partly due to the challenges above. Instead, the ORR risk level is defined through a qualitative process. This approach might be necessary to compensate for gaps in understanding of human rights barriers, and lack of risk assessment guidance for human rights, highlighted above.

As a result, human rights-related risks are reported as “high” in the ORR, although consolidation of individual grant risks are only at the level “medium”. This leads to the risk of a disconnect between prioritization of human rights risk at Board and individual portfolio levels, with the Board expecting the risk mitigations targeting a “high” level of human rights risks, while the individual country portfolios are actually instituting risk mitigations commensurate for a “medium” risk level. The Secretariat is currently in process of enhancing the IRM module, defining an appropriate cohort of countries for measuring this risk and creating a link between IRM and ORR.



4. Journey ahead: Addressing key challenges

4.1. Aligning human rights investments and understanding with corporate priorities

There is a need for more clarity in the organization on the corporate priorities to “remove human rights-related barriers” and their catalytic potential to achieve grant impact

“Breaking down barriers” initiative requires further prioritization

The “Breaking down barriers” project in 20 countries is the Global Fund’s flagship human rights-related project in the current strategy and is fundamental to achieving Strategic Objective 3 and KPI 9a. The initiative has benefited from meaningful support including:

- Management oversight, through its recognition as a mission-critical deliverable by the MEC, its tracking in the Strategy Implementation reports, and various engagement points with Board committees;
- Allocation of financial resources of US\$1.74 million (detailed under section 4.3).
- Human resources: Some CRG department staff dedicated substantial time and effort to support the project along with additional consultant time.

However, notwithstanding these efforts, higher level of operational prioritization is required to reach the ambitious strategic objectives. The following examples highlight areas where the project could have benefitted from higher operational focus and prioritization:

- There was no initial funding allocated to conduct baseline assessments, which contributed to delays in completing the assessments. 70% (14/20) of the baseline assessments were completed after grant-making in these countries, representing a missed opportunity to consider the baseline assessments’ recommendations when prioritizing programming for upcoming grants. For 14 countries, baseline assessments were funded from grant allocations. For the remaining 6 countries, funds had to be raised from external sources.

- While Strategic Initiative investments support the “Breaking down barriers” project, the financial needs of the project have been only partly addressed. There was insufficient resources to maintain the initial scope and the scope of the project was therefore scaled down to focus available resources on those countries where the impact is expected to be highest. Support to the 20 countries has been divided into “proactive” and “reactive” support. 12 countries will receive “proactive” support in terms of grant implementation, stakeholder mobilization, strategic plan development, follow-up, technical assistance for implementation, midterm assessment and end-term assessment.

- No staff were assigned full-time to this critical project, and no technical support was available initially.

- There is no internal steering committee or other formal governance arrangement in place to oversee the project which remains mainly the responsibility of CRG.

The Global Fund Secretariat has recently conducted an exercise to identify and align the strategic priorities across different portfolios for the next grant cycle. As a result, there is an intention to increase focus on the “Breaking down barriers” project in the coming funding cycle.



4. Journey ahead: Addressing key challenges

4.1. Aligning human rights investments and understanding with corporate priorities



RECOMMENDATIONS:

Categorize countries according to priority and provide differentiated support to each category

- Categorize all countries according to their need to address human rights-related barriers (high/medium/low). Ensure that mission critical countries and countries participating in the “Breaking down barriers” project are included in the top priority category.
- Develop differentiated support frameworks for each category, with the highest level of support going to top priority countries. Ensure adequate financial and human resources are made available to provide quality support. Support can, for example, include:
 - eligibility to apply for matching funds
 - focused CRG/human rights specialist support
 - technical assistance by external providers
 - specific support during grant-making and grant implementation
 - capacity building of country teams
- Put in place specific requirements for human rights-related programming for each category, with the highest level of requirements to the top-level category. Requirements can for example include:
 - mandatory identification of human rights-related barriers in the country dialogue, to be addressed in the funding request;
 - dedication of certain percentages of grant allocations to removing human rights-related barriers;
 - cascading of human rights-related performance objectives to units and individuals.



RECOMMENDATIONS:

Align understanding of corporate priorities to remove human rights-related barriers

- Awareness raising to staff: Raise awareness and build capacity of staff to improve their understanding of the organizational priorities to remove human rights-related barriers (see recommendations for 4.2). Communicate organizational priorities related to removing human rights barriers from top level management to staff.
- Provide data-driven evidence on the impact of human rights investments: Develop data-driven, practical examples demonstrating that removing human rights-related barriers has impact on the fight against the diseases, to help country teams understand the value of, and prioritize, investments to remove human rights-related barriers.

Improve management and reporting of human rights risks at corporate and grant levels

- Improve reporting of corporate level risks:
 - Start to consolidate the human rights risks and mitigating actions at grant level to the corporate level ORR reporting, to provide an accurate reflection of the organization’s management of human rights risks. A pre-requisite for this is to improve identification and management of grant-level human rights risks (see below).
- Improve identification and management of risks at grant level:
 - Update risk definitions and root causes as well as rolling out indicators in the IRM to more accurately reflect human rights-related risks in grants and to better guide identification of mitigating actions.
 - Include training on identification and management of human rights-related risks in future capacity-building initiatives.



4. Journey ahead: Addressing key challenges

4.2. Clarifying roles and responsibilities to drive Strategic Objective 3

The Community, Rights and Gender (CRG) department is generally considered as the “owner” of the Strategic Objective 3, and while it has a coordinating role, joint effort and ownership across the organization is required to achieve this objective.

There are opportunities to strengthen the division of roles and responsibilities, as well as coordination:

Clarify the role of the CRG department

The CRG provides support and strategic guidance related to removing human rights-related barriers. However, CRG does not have a formal mandate or terms of reference detailing its responsibilities and clarifying the division of responsibility with other departments.

Currently, the CRG has a wide range of responsibilities, both in terms of providing strategic direction, leadership and advice as well as providing operational-level support to country teams and countries (for the “Breaking down barriers” project and beyond). Recent internal mapping of CRG’s role by the Performance Delivery Team mapped their contributions in 24 out of 53 Global Fund corporate business processes. The human rights-related aspects of these tasks have up until now been mostly managed by a team of three staff (with temporary consultant support).

Being part of many processes gives CRG an important opportunity to be involved in several parts of the business. However, the wide range of tasks and responsibilities presents a substantial workload for the team and can mean that less time and effort is spent on providing strategic direction on the human rights agenda. Some tasks could potentially be either streamlined, like KPI 9 reporting (see section 4.3. for inefficiencies in the current data collection and reporting model), or moved closer to Grant Management Division, such as some of the country-specific support.

The CRG department is seen as the “owner” of SO3 – but this needs to be owned by the entire organization collectively

FIGURE 10
EXAMPLES OF CRG RESPONSIBILITIES

- ▶ Primary responsible for the Human Rights related aspects of Strategic Objective 3
- ▶ Provide support and technical advice to Country Teams and countries
- ▶ Support the initiative “Breaking down barriers” in 20 countries
- ▶ Conduct analysis on Human Rights related barriers and investments
- ▶ Coordinate with internal and external stakeholders
- ▶ Monitor progress on KPI 9
- ▶ Report on KPI 9
- ▶ Provide regular updates to the Board
- ▶ Conduct advocacy
- ▶ External meetings and conferences
- ▶ Coordinate technical assistance
- ▶ Coordinate, design, implement and report on the Strategic Initiative and Matching Funds
- ▶ Provide input and recommendations to funding requests and TRP recommendations
- ▶ Develop and update guidance
- ▶ Monitor Human Rights crises
- ▶ Other strategic advice and support to the Secretariat and in-country stakeholders

Source: Mapping by Global Fund Performance Delivery Team



4. Journey ahead: Addressing key challenges

4.2. Clarifying roles and responsibilities to drive Strategic Objective 3

Embed human rights in the core business

There are currently limited structures to embed human rights-related programming into the core business through:

- Integration of human rights considerations in core grant management operations, with sufficient operational support;
- Mechanisms in the grant design, making and implementation processes to ensure programming addresses human rights-related barriers.

While CRG technical experts should provide strategic direction, overall coordination, oversight and technical support throughout implementation, the human rights considerations and their implementation should be embedded and owned within the Grant Management Division.

The Grant Management Division needs sufficient capacity and support to enable human rights-programming in grants

Integrate dedicated operational support in the Grant Management Division

Joint ownership and effective integration of programs to address human rights-related barriers requires adequate competencies, operational-level support and buy-in in the Grant Management Division.

Other strategic priorities have structures in place where country teams can draw on support by dedicated technical specialists, who provide operational-level guidance and assistance, as well as ensuring that programming is adequately prioritized in grants. For example, country teams benefit from support by Sustainability, Transition and Co-financing (STC) specialists, risk specialists and public health specialists, assigned to work with the Grant Management Division. A similar model has recently been rolled out to support the “Adolescent Girls and Young Women” (AGYW) and other gender-related initiatives.

At the time of this review, there were no specific, operational-level human rights support integrated in the Grant Management Division that can support both country teams and implementing countries. Operational support was provided by the CRG human rights team and external consultants.

Country teams need and value operational support: 90% of country teams in the OIG grant sample stated in interviews that in-depth and structured support from the CRG human rights team was a critical enabler for inclusion of grant interventions to reduce human rights-related barriers.

A strong correlation was found between dedicated technical support and the inclusion of human rights programming in grants. For the 15 grants reviewed, the CRG human rights team was involved in 12 grant-making processes, of which 11 grants had human rights-related investments. For the other three grants without CRG support, none had any human rights-related investments.

Dedicated support is especially important early in the grant-making process. In 50% of the sampled countries, CRG provided support from the start of the country dialogue phase. This which resulted in relevant interventions being included in the final grant. For one country in the grant review sample, the CRG participated in three country missions during the grant-making process, which resulted in human rights-programming being aligned with the “Breaking down barriers” baseline assessment. In another sample country, the CRG was not involved from the start, resulting in 50% of the human rights-related investments not being consistent with the specific programs to remove human rights-related barriers defined by the Global Fund (see figure 7 for an overview of Global Fund programs to remove human rights-related barriers).



The Global Fund / Jacki Evans



4. Journey ahead: Addressing key challenges

4.2. Clarifying roles and responsibilities to drive Strategic Objective 3

Build capacity on human rights

While not all Global Fund operational staff need to be human rights experts, capacity building opportunities are required for relevant staff to gain a basic level of understanding of organizational priorities to remove human rights-related barriers.

In September 2018, the CRG presented to the Management Executive Committee on the need to develop and implement a multi-year plan to increase human rights capacity within the Secretariat, an issue which CRG had already previously highlighted.

At the time of the review, there was **no formalized methodology for leveraging available expertise, mapping out capacity needs and gaps in different parts of the Global Fund**, and developing an organizational capacity development plan for human rights. An external consultant has reviewed the Secretariat's human rights and gender-related capacity building needs with the view of proposing a capacity development strategy (this was not yet available in draft format at the time of the review).

A few training opportunities exist for staff to learn about the Global Fund's approach to removing human rights-related barriers. For example;

- A human rights specific training course was organized jointly by CRG and GMD in January 2018, focusing on the country teams participating in the “scaled up support to 20 countries” project. There is no current plan to continue this training or to scale it up to include participants from other country teams outside the 20-country cohort.
- One dedicated session during the internal Sustainability, Transition and Co-financing training focuses on human rights.
- Four online iLearn (internal learning platform) training courses have aspects of human rights, but their uptake and completion rates are limited (ranging from 12 to 36 completions across the entire organization in 2017-2018).

Specific capacity building on human rights is needed
– and human rights should be considered in role expectations and when setting performance objectives

Embed human rights considerations in role expectations

The Global Fund competency framework, which maps out the skills and competencies required for the different positions in the organization, lists several job families which require competencies on human rights and gender equality. These competencies are not yet embedded in the recruitment process, role descriptions and objectives to ensure that staff actually possess the required skills and experience.

The OIG reviewed job descriptions for existing positions and found no specific focus on human rights in relevant job descriptions (outside of CRG).

There is no process to systematically assess existing staff skillsets in these job families vs. portfolio-specific requirements, and there has been no assessment of upskilling requirements on human rights and gender according to the functional skills requirements in the competency framework.



4. Journey ahead: Addressing key challenges

4.2. Clarifying roles and responsibilities to drive Strategic Objective 3

Strengthen CRG oversight on human rights throughout the grant cycle

Ensuring the inclusion of human rights programming in grants requires careful consideration throughout the grant cycle. Some mechanisms have been introduced to ensure that human rights barriers are addressed through grants, such as a dedicated section in the grant application form and increased capacity of the Technical Review Panel to review and provide recommendations on human rights.

However, **CRG, as the technical experts, has limited mechanisms to formally influence human rights programming and implementation.**

During the review of funding requests, there is no mechanism to systematically address requests that do not identify and address human rights-related barriers. 40% of the OIG sampled countries did not fully identify human rights barriers in the funding requests, resulting in grants not including any programs to address them. For example, in four cases, funding requests identified key populations but did not specify any, or only very few, human rights-related barriers for these key populations. In one case, HIV and TB funding requests were submitted together but only HIV related barriers to human rights were specified. In one case, the applicant identified human rights-related barriers related to malaria but did not include any programs to address these.

This is also recognized by the Technical Review Panel, who notes that “analysis of human rights issues in funding requests often seems not to translate into well-resourced, sustainable programs to reduce human rights-related barriers.”*

CRG is part of the Grant Approval Committee, and is also involved in other critical portfolio decisions, e.g. Country Portfolio Reviews. However, in some cases like Uganda and India, significant CRG concerns and comments were only partially addressed but grants were signed.

Clarify and cascade accountabilities for human rights

The KPI accountability matrix outlines accountable parties for Global Fund KPIs. For KPI 9 on human rights, the accountability matrix specifies the CRG, Grant Management Division country teams, Access to Funding and the Health Financing team as jointly accountable for different aspects of the KPI.

However:

- The specific accountabilities (e.g. oversight, strategic guidance, operational implementation, data collection and reporting, performance reviews, escalation of strategic issues to higher levels) are not adequately delineated in the Performance Accountability Framework or other corporate documents.
- The accountabilities are not adequately cascaded in the form of operational targets (in the form of unit targets and performance objectives of individual staff).
- As highlighted earlier, CRG has limited controls to ensure effective oversight. There are limited coordination mechanisms in place to ensure those who are assigned responsibility for KPI 9 align priorities and jointly work towards the corporate commitment.
- With these revisions, there is also a need to review the adequacy of current staffing and capacity within CRG to assume the stronger oversight and coordination responsibilities as envisaged in this report.

Human rights barriers are sometimes not adequately addressed in the grant-making process

* “Technical Review Panel’s observations on 2017-2019 allocation cycle”, October 2019. Global Fund Strategy Committee GF/SC11/12



4. Journey ahead: Addressing key challenges

4.2. Clarifying roles and responsibilities to drive Strategic Objective 3



RECOMMENDATIONS:

Formalize the roles of CRG and Grant Management Division in supporting and implementing human rights programming

- Define the roles, responsibilities and strategic priorities related to human rights for relevant departments, including CRG and the Grant Management Division. Draw on the reviews by the Performance Delivery Team in this regard.
- Place dedicated human rights technical experts in Grant Management (with appropriate reporting structures) to support country teams in addressing human rights-related barriers in grant operations throughout the grant cycle (similar to the model adopted for AGYW). Assess role revisions and clarifications when determining staffing implications.
- Review capacity needs within CRG to assume stronger oversight and coordination responsibilities, including potential surge capacity.

Strengthen human rights considerations in the grant processes

Include human rights-related considerations in key steps in grant-making and implementation processes. This can include:

- Building on the corporate mapping of business processes, ensure appropriate inclusion of human rights-related considerations in other key grant processes, according to the RACI (Responsible, Accountable, Consulted, Informed) structure.
- Develop escalation mechanisms in case grants do not adequately identify and address human rights-related barriers.
- For the upcoming allocation cycle, ensure that grant application materials and disease-specific information notes request countries to detail their human rights-related barriers and include programs to address them as applicable (as outlined in the Global Fund Sustainability, Transition and Co-financing policy).



RECOMMENDATIONS:

Formalize accountability and coordination structures

- Break down Strategic Objective 3 to more granular departmental responsibilities and accountabilities, as aligned with defined departmental roles.
- Cascade responsibility on human rights through performance objectives of relevant teams and individuals.
- Develop formal coordination mechanisms (headed by CRG and including Grant Management, Access to Funding and health financing team) to ensure overall implementation and reporting of the human rights –related aspects of SO3.

Build internal capacity related to human rights

- Develop, endorse and roll out a formal and targeted capacity-building plan for human rights at the Global Fund.
- Include targeted capacity-building sessions specifically for human rights, targeted to the individual needs of relevant teams that is practical, easy to understand, has direct relevance to daily work.



4. Journey ahead: Addressing key challenges

4.3. Improving monitoring and reporting of human rights-related investments

Strengthen systems to measure and monitor human rights investments

The Global Fund has significantly increased its investments to remove human rights-related barriers in NFM2.

However, **the Global Fund does not have a comprehensive mechanism to identify and monitor on a consolidated basis all its investments in this strategic priority.**

Programming to remove human rights-related barriers can be budgeted within specific human rights modules in the budget framework, or they can be integrated into other modules. Examples of human rights-related investments integrated in other modules can be for example in the form of training of health workers, which can include training on human rights as part of the curriculum. This would normally be budgeted in a module relevant for training, not in a module specific to human rights.

Human rights-related investments that are budgeted within the specific human rights modules are easily identifiable in the budget framework, but there is no mechanism to measure investments that are integrated in other grant modules. Limiting measurements to what's budgeted inside the specific modules gives only half the picture; it is estimated that **around 45% of total human rights investments are integrated into other modules.**

In order to report on KPI 9b, which measures human rights-related investments in middle-income countries, the CRG team has developed a methodology that entails an automated lookup and manual verification of detailed budgets at line item level to identify all human rights-related investments for these countries (including those investments that are integrated in other modules). However, this analysis is performed for middle-income countries only and not extended to the entire Global Fund portfolio of grants.

Human rights-related investments are only measured based on budgeted amounts, not on the budget absorption or on the results that the investments contribute to.

There is a **lack of mechanisms to monitor progress and track results of human rights-related programming** due to the fact that there are only very limited outcome indicators, and no coverage indicators, that are specific to human rights in the current (2017-2019) modular framework. The limitations of the monitoring and evaluation framework are recognized by country teams as one of the main challenges in relation to designing, implementing and monitoring progress on human rights-related investments.

The same challenges have also been recognized by the Technical Review Panel, who commented for one country in the grant sample (Uganda): “Given the importance of the proposed work on lifting legal and Human Rights barriers to access to service, along with the size of the budgets for some of the key modules to be supported, clear programmatic targets and mechanisms for tracking progress towards these targets need to be defined.”

There are limited outcome and no coverage indicators for human rights to enable monitoring of absorption and results

In the absence of specific indicators, some grants have developed workplan tracking measures (which can be used to track progress of investments in cases where there is no suitable indicator for the specific activity), but these are used on an ad-hoc basis and the quality varies.

There are opportunities to revise the modular framework for the upcoming allocation cycle and the Secretariat is already conducting this revision. At the time of the review, suggested outcome indicators have been developed in draft format, together with a guide to human rights monitoring and evaluation.



4. Journey ahead: Addressing key challenges

4.3. Improving monitoring and reporting of human rights-related investments

Improve the coverage, focus on performance and reporting process for KPI 9

While the Global Fund measures its human rights investments through a KPI (an important first step towards comprehensive KPI reporting on human rights), there are opportunities for improvement in terms of coverage, scope and reporting processes.

The KPI on human rights only measures human rights investments in a subset of countries and has limited focus on performance

Expand coverage of the KPI to the broader Global Fund portfolio and start to measure performance

KPI 9 measures different aspects of investing in removing human rights-related barriers, but the current coverage leaves out countries that represent a substantial part of the disease burden and allocation in the Global Fund portfolio. The KPI also focuses on measuring inputs rather than performance.

There are limited mechanisms to track investments related to removing human rights barriers for countries that are not part of the KPI cohorts. This is a missed opportunity to track investments and programing in key countries.

FIGURE 11
KPI 9 ON HUMAN RIGHTS

KPI	KPI 9a Number of priority countries with comprehensive programs aimed at reducing Human Rights barriers to existing HIV and TB services			KPI 9b % of country allocation invested in programs targeting key populations and Human Rights barriers to access in middle-income countries			KPI 9c % of funding for programs targeting key populations and Human Rights barriers to access from domestic (public and private) sources, in upper middle-income countries		
Target and Status	TARGET (2022): 4 countries for HIV, 4 countries for TB		STATUS 18 baseline assessments completed 9 multi-stakeholder meetings held	TARGET (2019): Human rights HIV 2.85% Human rights TB 2% Key populations HIV 39%		STATUS Human rights HIV – <u>3.44%</u> Human rights TB – <u>0.72%</u> Key populations HIV – <u>36.36%</u>	TARGET (2019): 100% of countries in the cohort reporting		STATUS Domestic funding assessed for <u>17</u> of 35 countries. Of those: <u>47% (8)</u> report on domestic resources on human rights <u>83% (14)</u> report on domestic resources in KPs
KPI coverage:	Number of countries	Disease burden	Financial allocation	Number of countries	Disease burden	Financial allocation	Number of countries	Disease burden	Financial allocation
HIV	20	49%	35%	72	68%	45%	35	30%	10%
Tuberculosis	13	31%	26%	13	72%	55%	Not covered	Not covered	Not covered
Malaria	3	11%	11%	Not covered	Not covered	Not covered	Not covered	Not covered	Not covered

Source: Strategic Performance Reporting – End 2018 (for Board information – 41st Board meeting)



4. Journey ahead: Addressing key challenges

4.3. Improving monitoring and reporting of human rights-related investments

KPI 9a

KPI 9a measures **comprehensive programming to remove human rights-related barriers to health services in the 20 countries that are part of the “Breaking down barriers” project**. The end target aims to measure performance, but not beyond these countries.

KPI 9b

KPI 9b measures the financial investments to remove human rights-related barriers in **middle-income countries for HIV and selected tuberculosis high-burden middle-income countries**. This allows the Global Fund to monitor and track human rights programming in countries that are, in theory, moving towards increased domestic responsibility for disease responses.

The Global Fund Sustainability, Transition and Co-financing policy encourages the inclusion, as appropriate, of human rights programming for grants in all income categories, including low-income countries. Not including low-income countries, many of which are high impact and high burden countries, in KPI 9b omits an important part of the Global Fund portfolio; the KPI 9b leaves out 55% of the total financial allocation and 32% of the disease burden for HIV (see figure 11). Investment tracking across the entire portfolio would require aligned data collection and reporting mechanisms and shared accountabilities across the Secretariat, as well as improved capacity for data extraction and analysis.

Human rights-related investments in middle-income countries increased significantly from the previous allocation period (2014-2016) to the current one (2017-2019); from 0.74% to 3.44% of total grant investments for HIV and from 0.08% to 0.74% for tuberculosis. Some argue that putting in place a specific KPI measuring human rights-related investments in middle-income countries contributed to boosting the investments by putting more focus on them.

The KPI 9b target for human rights investments in HIV is currently on track (the target is 2.85% of grant funding invested to remove human rights barriers). Achieving the target for tuberculosis (2% of grant funding invested to remove human rights barriers) is still far off with only a 37% achievement rate.

Efforts need to be intensified to boost human rights-related investments for tuberculosis to achieve KPI 9b. Efforts could include highlighting the role of removing human rights-related barriers to find missing tuberculosis cases and promoting matching funds for tuberculosis (matching funds are currently only available to HIV grants, but they are aimed to be extended also to the other diseases in the upcoming (2020-2022) allocation cycle).

Expanding KPI 9b to the entire portfolio could act as a driver to increase investments also in low-income countries.

KPI 9b has initiated regular measurement and reporting of financial investments towards removing human rights-related barriers, which was not done previously. It does not however measure performance in terms of the quality or results of the investments, but stays at input level.

KPI 9b measures human rights investments only for 45% of Global Fund funding

KPI 9c

KPI 9c interim indicator measures the **number of upper-middle-income countries that report on funding to remove human rights related barriers from domestic sources, but only for HIV**.

The interim indicator measures the number of countries report on domestic funding for human rights related barriers, rather than the amount of such funding or the impact it has. The cohort is small, consisting of 35 countries (of which 17 report).

Most of the limitations highlighted were known and considered by the Secretariat and the Board when proposing and approving the current KPIs. The current KPIs have progressed and matured from the 2014-2016 KPI, (which only measured the number of human rights complaints received).

As the KPI framework matures, these challenges have to be tackled to enable a more accurate measurement of the inputs and outputs of the Global Fund programs towards removing human rights barriers in accessing its programs, and for endeavoring to measure the final impact of these efforts. Among other improvements, these changes would require higher integration of human rights-specific indicators in monitoring and evaluation frameworks and the improvement of systems and processes for KPI reporting. The Secretariat intends to present to the Global Fund board in the spring of 2020, for approval, a final indicator KPI 9c. The final indicator is expected to align with the UNAIDS Global Aids Monitoring to focus on expenditures and aligning with the method for tracking other HIV expenditures.



4. Journey ahead: Addressing key challenges

4.3. Improving monitoring and reporting of human rights-related investments

Embed KPI 9 data collection in routine processes

KPI 9 was established without putting in place adequate supporting processes to enable its reporting.

Intensive data mining and manual analysis of data is needed to report on KPI 9b and KPI 9c. Data is not available through routine reporting or the current M&E framework, making the process laborious and complex, relying on collection and aggregation of data from several sources.

The CRG estimated at least 20 full days of CRG time are spent in collecting, analyzing, aggregating and reporting KPI 9b data for each reporting period. At least the same amount of time is spent for KPI 9c.

Challenges in data collection and reporting include:

KPI 9b

KPI 9b: CRG calculates this KPI on human rights investments based on a complex and detailed methodology. Some modules/interventions in grant budgets are included in full (such as specific modules to reduce human rights related barriers, and interventions addressing stigma and discrimination in key population prevention modules). Human rights-related investments embedded in other modules are identified by two CRG staff through key word searches and manual review of detailed budgets, a labor-intensive and time-consuming process.

The method for collecting data and reporting on KPI 9b and 9c is cumbersome

KPI 9c

KPI 9c: Currently there are no Global Fund mechanisms for systematic reporting of data on domestic investments to remove human rights-related barriers. It is not mandatory to provide human rights domestic investment details in the funding landscape table or allocation letters, hence it is not always provided.

This KPI was established as an “aspirational KPI”; the Strategic Performance Reporting – end of 2018 presented to the 41st Board meeting states that: *“Target is aspirational and will not be met, in part due to lack of co-financing requirements for [human rights] (unlike [key population] requirements)”*.

Instead, the CRG team has to collect, analyze and triangulate data from different sources, including: funding landscape templates; costed and budgeted transition plans; funding request forms; Secretariat Briefing Notes, National Strategic Plans; other information available at country level.

Incomplete reporting partly accounts for low achievement of KPI 9c – domestic funding information is only reported for 47% of the countries in the cohort (compared to the target of 100% of countries).

In countries where human rights domestic investments are not reported, there is no independent way to assess whether the lack of information equals lack of investment.



4. Journey ahead: Addressing key challenges

4.3. Improving monitoring and reporting of human rights-related investments



RECOMMENDATIONS:

Refine methods for measuring investment and results of human rights-related investments

Measuring investments:

- Map human rights-related investments integrated in other modules by assigning tags on specific interventions and activities (using the KPI 9b methodology) in the corporate data warehouse.

Measuring results:

- Include coverage and outcome indicators for removing human rights-related barriers in disease modular frameworks and performance frameworks.
- Develop a menu of workplan tracking measures and guidance on alternative evaluation methods, in those cases where assigning an indicator is not feasible.
- MECA and CRG to collaborate to ensure that all investments to remove human rights-related barriers should have an indicator/workplan tracking measure in place in the Performance Framework to track progress.



RECOMMENDATIONS:

Revise KPI 9 to measure performance and expand coverage to the broader Global Fund portfolio

For the upcoming KPI recalibration effort:

- Expand the coverage of KPI 9b to include the broader Global Fund portfolio. Pre-requisite: review and automate data collection processes (see below).

For future strategic cycles:

- Revise KPI to measure performance through input measures (investment levels) and output/outcome level measures of investments in removing human rights-related barriers.

Review and automate methods for data collection and analysis for KPI 9b and 9c

KPI 9b

- Automate the data collection process for KPI 9b by mapping human rights investments in the corporate data warehouse (see left hand side).
- Reposition CRG's role towards data verification and analysis rather than mining and re-creating data from various sources.
- Embed data reporting and consolidation within operation teams (Grant Management Division and Finance).

KPI 9c

- Improve data availability: include a requirement to report on domestic financing for human rights through the funding landscape template in allocation letters sent to upper middle-income countries in the next funding cycle.
- Align current expectations on domestic financing for human rights, and consider inclusion of human rights-financing in co-financing requirements.