

**THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS  
AND MALARIA**

# **GOVERNANCE MANUAL**

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**COUNTRY COORDINATION MECHANISM**

**PERIOD**

**2020 - 2022**

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## **ABBREVIATION**

AIDS	Acquired Immune Deficiency Syndrome
CSO	Civil Society Organization
CBO	Community Based Organization
COI	Conflict of Interest
CCM	Country Coordinating Mechanism
CPMU	Central Project Management Unit
EWG	Executive Working Group
GF	Global Fund
GFATM	Global Fund to Fight AIDS, Tuberculosis & Malaria
GVN	Government of Viet Nam
VUSTA	Health System Strengthening
HIV	Human Immunodeficiency Virus
INGO	International Non-Government Organization
LOI	Letter of Interest
LFA	Local Fund Agent
ML	Management Letter
MOU	Memorandum of Understanding
MDG	Millennium Development Goals
M&E	Monitoring and Evaluation

NGO	Non-government organization
ODA	Overseas Development Assistance
OC	Oversight Committee
PR	Principal Recipient
SDA	Service Delivery Area
SR	Sub-Recipient
SSR	Sub-Sub-Recipient
TRP	Technical Review Panel
TOR	Terms of Reference
TB	Tuberculosis
VAT	Value Added Tax
VN-CCM	Viet Nam Country Coordinating Mechanism

## **INTRODUCTION**

### **Introduction to the Global Fund**

The purpose of the Global Fund is to attract, manage and disburse additional resources that make a sustainable and significant contribution to HIV/AIDS, tuberculosis and malaria control, and contribute to poverty reduction as part of the Millennium Development Goals.

The Global Fund finances programs (i) that focus on the creation and development of partnerships among relevant players within a country, including governments, NGOs, civil society, multilateral and bilateral agencies and the private sector; (ii) strengthen the participation of people, particularly those affected by the three diseases; (iii) build on existing coordination mechanisms and promote new and innovative partnerships; (iv) encourage transparency and accountability; and (v) eliminate stigmatization of those affected by HIV/AIDS and tuberculosis (TB), especially vulnerable groups.

The Global Fund also recognizes the importance of supporting public, private and community health systems where weaknesses and gaps in those systems constrain the achievement of improved outcomes in reducing the burden of HIV, TB and malaria. With a strong focus on ensuring linkages between the health sector and positive outcomes for the three diseases, the Global Fund also remains committed to providing funding for health systems strengthening (VUSTA).

The Global Fund recognizes that only through a country-driven, coordinated and multi-sector approach involving all relevant partners will additional resources have a significant impact. Thus, a variety of actors must be involved in the development of proposals and decisions on the allocation and utilization of Global Fund financial resources. To achieve this, the Global Fund expects grant proposals to be coordinated among a broad range of stakeholders through Country Coordinating Mechanisms (CCMs), and that the CCMs will monitor the implementation of approved proposals.

## **Introduction to the Viet Nam Country Coordinating Mechanism**

The Viet Nam Country Coordinating Mechanism (VN-CCM) has a broad mandate as a national coordinating body for AIDS, TB, and malaria. It was initially established according to Decision No. 4557/QĐ-BYT issued by the Minister of Health on December 21<sup>st</sup>, 2004, with 23 members to oversee the national response related to the three diseases of HIV, malaria and tuberculosis, as well as health system strengthening, and to coordinate the efforts of all partners. VN-CCM builds on and is linked to existing mechanisms for planning at the national level and is consistent with national strategic plans. Membership in the CCM is broadly representative of a variety of stakeholders, each representing an active constituency with an interest in fighting one or more of the three diseases. The role and function of each player within the partnership of the CCM is agreed upon by the mechanism, safeguarding equity and transparency among partners.

This document provides an updated guide to the governance and operation of Viet Nam's Country Coordinating Mechanism, including Sub-CCMs, on their role in Global Fund processes. It sets out the guidelines for the VN-CCM members to oversee the implementation of national responses for AIDS, TB and Malaria and related health issues, including the implementation of the Global Fund grants in Viet Nam.

In relation to the Global Fund for AIDS, TB and Malaria (also referred to as “the Global Fund”, “GFATM” or “GF”), the VN-CCM is mandated to:

- i. Endorse and submit grant proposals to the Global Fund, and
- ii. To provide effective grant oversight and support the implementation of grants which are funded by the Global Fund.

One requirement for all proposals for funding support submitted to the Global Fund is the establishment of a national multi-sectorial coordination mechanism or partnership forum with a broad and representative membership drawn from elements of the government, non-governmental organizations and/or civil society and multilateral and bilateral institutions, the private sector, international donors and international non-governmental organizations (NGOs). These representatives



should each have the capacity, background and experience to play a key role in developing proposals, proposing funding allocations and monitoring implementation to ensure the effective utilization of the approved Global Fund resources in the context of the health system of Viet Nam.

As one of the key elements in the Global Fund architecture/structure, the CCM is central to Global Fund's commitment to local ownership and participatory decision making in the management of grant funds. As a national-level partnership forum, the CCM participates in the development of concept notes, then endorses and submits funding proposals to the Global Fund based on national strategic plans and needs. Once such proposals are approved by the Global Fund Board, and with the accomplishment of grant negotiation with the global fund secretariat, the CCM provides oversight over the progress of their implementation. In case of necessity, CCM Viet Nam can work with government agencies to report the situation (of grant implementation) and request supports from the Government of Viet Nam with the regulations and policies which aid the program implementation process, the approval process and disbursement process.

Overseeing grant implementation is a core responsibility of the CCM. The CCM is required to put in place an oversight plan to ensure that activities are implemented and resources are used as specified in the grant agreement. The development of an oversight plan and management tools to supervise the progress of the Principal Recipient (PR) is critical for ensuring appropriate accountability to GFATM regarding grant implementation, and to assist the PR in areas beyond its control or mandate. This is also a requirement for grant eligibility.

The CCM is a mechanism mandated by the Global Fund. The Global Fund grant agreement includes a number of articles giving CCM legal authority to perform its role, and authorizing the PR(s) to cooperate with CCM with regard to oversight activities. The Viet Nam Ministry of Health establishes a Project Management Unit to support the activities of the VN-CCM, this Project Management Unit will support the implementation and disbursement of VN-CCM operations with the fund from the Global Fund and the Vietnamese Government's reciprocal capital, based on the VN-CCM's work plan and financial projections.

This Governance Manual was developed and endorsed by the VN-CCM as a guideline and a reference, and is binding upon the Secretariat, VN-CCM Executive Committee, Oversight Committee, VN Sub-CCMs, the VN-CCM Chair and Vice Chair, all Members and alternates of VN-CCM, the Principal Recipients (PRs), and all Sub-Recipients in relation to the implementation of Global Fund grants in Viet Nam. The Governance Manual of the VN-CCM should be regularly updated to correspond to the actual situation. To ensure CCM Viet Nam's activities, the updates (if any) will be done once per year, any new changes needs to be approved by CCM Viet Nam.

## SECTION I

### VIETNAM COUNTRY COORDINATION MECHANISM MEMBERSHIP

**TERM OF 2020 - 2022**

#### A. VN-CCM MEMBERSHIP

No	Name	Job	Position	Contact	Alternate
<b>CCM CHAIR</b>					
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<b>CCM VICE CHAIRS</b>					
2	Ms. Nguyen Thi Minh Chau	Deputy Director, International Cooperation Dept. MOH	CCM Vice Chair	Email: <a href="mailto:chautinotina@yahoo.com">chautinotina@yahoo.com</a>	
3	Mr. Park Kidong	Representative, WHO	CCM Vice Chair	Email: <a href="mailto:park@who.int">park@who.int</a>	Ms. Otsu Satoko Email: <a href="mailto:otsus@who.int">otsus@who.int</a> TEL: +84962871399
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6	Ms. Nong Thi Hong Hanh	Officer - MPI	Official Member	Email: <a href="mailto:nongthihonghanh@mpi.gov.vn">nongthihonghanh@mpi.gov.vn</a> , <a href="mailto:hanhnong@gmail.com">hanhnong@gmail.com</a> TEL: 0912151234	
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		MOF			
8	Mr. Le Van Khanh	Deputy Director, Dept. of Social Vices Prevention and Combat - MOLISA	Official Member	Email: <a href="mailto:lekhanhsep@yahoo.com">lekhanhsep@yahoo.com</a> TEL: 0912309363	Mr. Vu Van Uy
<b>INTERNATIONAL ORGANIZATIONS</b>					
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<b>CIVIL SOCIETY ORGANIZATIONS</b>					
13	Mr. Nguyen Trong An	Vice President - Research and training center for community development (Northern VNGO)	Official Member	Email: <a href="mailto:anbacsicuctreem@gmail.com">anbacsicuctreem@gmail.com</a> TEL: 0904127858	Mr Le Trung Tuan - Institute of Psychological Studies and Support To Drug Users Email: <a href="mailto:letrungtuan1710@gmail.com">letrungtuan1710@gmail.com</a> TEL: 0942215474
14	Ms. Tieu Thi Thu Van	President - HIV / AIDS Prevention Association of Ho Chi Minh City (Southern VNGO)	Official Member	Email: <a href="mailto:tieuthithuvan.bs@gmail.com">tieuthithuvan.bs@gmail.com</a> TEL: 0908139756	Ms. Vu Thi Tuong Vi – Ho Chi Minh City Medicine and Pharmacy University Email: <a href="mailto:tuongvipac@gmail.com">tuongvipac@gmail.com</a> TEL: 0908577767
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20	Mr Pham Tuan Sinh	Representative of the Northern CBOs	Official Member	Email: <a href="mailto:sinhpham521993@gmail.com">sinhpham521993@gmail.com</a> TEL: 098 8417893	Ms Dao Phuong Thanh (Hoa Sua association) Email: <a href="mailto:daophuongthanh1968@gmail.com">daophuongthanh1968@gmail.com</a>
21	Mr Huynh Tien Dat	Representative of the Southern CBOs (CBO Sắc màu cuộc sống – Colors of Life)	Official Member	Email: <a href="mailto:tiendat1747@gmail.com">tiendat1747@gmail.com</a> TEL: 090 692673	Mr Nguyen Minh Thuan – CBO ALO BOY Email: <a href="mailto:thuan.aloboy@gmail.com">thuan.aloboy@gmail.com</a> 090 9340286
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## **SECTION II**

### **KEY VN-CCM ROLES, STRUCTURE AND PROCESSES**

#### **A. VN-CCM PRINCIPLES**

The VN-CCM adheres to the principles of broad and inclusive participation, full transparency, cooperative partnership, and efficient operation. Both Government and non-government Members are self-selected by their own sectors through a transparent and documented manner. The VN-CCM should meet global guidance shared by the Global Fund, including with regard to the mitigation of conflict of interest and management risks.

#### **B. ROLES, RESPONSIBILITIES AND RIGHTS**

##### **1. VN-CCM Roles, Responsibilities and Rights:**

VN-CCM has the following roles and responsibilities:

- 1.1 Coordinate the development and submission of national proposals for funding
  - i. Apply a transparent and documented processes for soliciting and reviewing submissions for possible integration into the proposal, engaging a broad range of stakeholders in solicitation and review of activities to be included in the application, and by drawing on their strengths to agree on a strategy, and to identify financing gaps , prioritization of needs, and comparative advantages of each proposed partner in achieving this strategy.
  - ii. Prepare, coordinate, review, and submit grant proposals to the Global Fund which meet the requirements of the Global Fund new funding model, and that are in line with Viet Nam’s national AIDS, tuberculosis, malaria priorities and programs.
  - iii. Establish a formal process for the development of proposals to the Global Fund that is transparent and documented, and seeks input from all VN-CCM Members, non VN-CCM Members and other interested stakeholders.

- iv. Document the efforts to include participation of targeted groups in the development of grant proposals, including targeted high risk populations
  - v. Provide evidence of efforts made to engage key population groups in the development of funding request applications, including most-at-risk populations.
  - vi. Respond to inquiries from the Global Fund concerning these proposals.
- 1.2 Select Principal Recipient(s) and Sub-recipients (SR) for VN-CCM-initiated grants financed by the Global Fund. In case VN-CCM assigns the responsibility of SR selection to Sub-CCM (s) or PR (s). The responsible Sub-CCM (s) or PR (s) must ensure a transparent and documented selection process.
- i. Develop and document clearly defined and objective criteria for selection of all new and continuing PRs and SRs, select appropriate organizations to act as PRs and SRs for the Global Fund grant at the time of submission of the funding request application, and document the management of any potential conflicts of interest that may affect the nomination process.
  - ii. Undertake processes to choose Sub-Recipient(s) (SR) through a transparent and documented selection process for these grants in conjunction with the principal recipient, except when VN-CCM delegates entirely this responsibility to PR(s). If responsibility is delegated to the PR(s), the PR(s) must ensure a transparent and documented selection process.
- 1.3 Oversight the implementation of the grants.
- i. Submit and adhere to an oversight plan for all financing approved by the Global Fund. The VN-CCM has established an Oversight Committee that takes responsibility of development and execution of the oversight plan and activities according the Oversight Committee Terms of Reference.
  - ii. Approve major changes in program implementation plans.
  - iii. Submit to the Global Fund requests for continued funding for each approved grant. Conduct mid-term and end-term evaluation, periodically monitor the progress of project implementation.
  - iv. Proactively identify technical support needs for grants and mobilize appropriate support.
  - v. Ensure follow up of identified grant implementation issues.
  - vi. Evaluate the performance of programs, including activities of CPMU and PPMU of PR(s) in implementing programs, and complete periodic

- reviews and requests for continued funding prior to the end of the two years of initially approved financing from the Global Fund.
- vii. Oversee PR activities during the grant closure period and endorse the Close-Out Plans. Where applicable, submit an Application for Funding under the Continuity of Services Policy.
  - viii. Review grant proposals and re-programming activities to ensure that interventions are in line with gender sensitive approaches and are not in violation of human rights principles.
- 1.4 Oversee and coordinate the national response including dialogue with all stakeholders relevant to AIDS, Tuberculosis , Malaria, Health System Strengthening and related health issues:
- i. Review grant activities to ensure that these comply with the National Strategies for the three diseases, and take into account the contributions of all implementing partners.
  - ii. Ensure the development of National Strategy Plans for the three diseases is put in place, and the Global Fund proposals and grants are well based on and contribute to these strategies; including resource plans that identify all sources of support and the overall budget envelope.
  - iii. Review of the Operational Plans and budgets for each term.
  - iv. Develop a coordinated approach to program monitoring and evaluation and integrate this approach into wider public health monitoring systems.
  - v. Provide opportunities for sharing experiences, and collaboration between implementing partners.
  - vi. Facilitate consultations around policy and practice issues amongst all partners (donors, implementing partners, Government Ministries and agencies).
  - vii. Provide guidance to and monitoring of the performance of PR(s) and SRs.
  - viii. To respect the ethical concerns that relate to prevention and control of HIV, malaria and tuberculosis.
- 1.5 Ensure effective coordination of national and external funding to support the national strategies on HIV, TB, and Malaria fulfilling required oversight requirements. Ensure health sector partners are aware of and involved in plans and that funding is in line with national strategic plans and well-coordinated with other efforts.
- 1.6 Continue to develop, modify and implement this Governance Manual.



## **2. Roles, Responsibilities and Rights of VN-CCM Member:**

2.1. Each VN-CCM Member must be willing to accept the following responsibilities:

- i. Respect and comply with this Governance Manual, and to other VN-CCM endorsed policy and regulation documents that are referenced in this Governance Manual.
- ii. Fully attend and actively participate in VN-CCM meetings.
- iii. Freely share relevant experiences and information within the meetings.
- iv. Respect and comply with VN-CCM decisions.
- v. Consult regularly with organizations and individuals within their sector and beyond their own individual agency with an aim to fairly and accurately represent their views and concerns at VN-CCM meetings.
- vi. All CCM members are invited to participate in the process of official decision making of the CCM. The CCM will operate by simple majority vote.
- vii. Individual members represent the interests of their constituency, are responsible for sharing information with their constituents in an open and timely manner, and should hold regular consultations with their constituents to ensure that representative views and concerns are expressed in CCM decisions and meetings.
- viii. Members are responsible for sharing information with CCM in an open and timely manner about the activities of their constituency to ensure the up-to-date and open information exchange.
- ix. Members should demonstrate neutrality and reaffirm the principle that members of VN-CCM represent a certain constituency and not their respective organizations. More than one member may represent the same constituency.
- x. CCM members must openly declare conflicts of interest, and refrain from speaking or voting while the CCM deals with the issue. Once a conflict of interest has been identified, the member may participate in discussions if invited by the Chair or Vice Chair, but may not vote on the related issue.
- xi. Any VN-CCM Member shall have the responsibility to declare a potential conflict of interest concerning any other Member, provided that it is supported by authentic evidence. If the VN-CCM agrees that there is indeed a COI, the Member concerned shall be asked to leave while the issue is being discussed.
- xii. The role of the United Nations agencies, multilateral and bilateral agencies and other development agencies in the VN-CCM should be

country partnership-driven and reflect the roles of these partners in HIV/AIDS, TB, and malaria control in Vietnam.

The roles and responsibilities above shall also apply to Alternate Members.

## 2.2. Rights of VN-CCM Members

Each VN-CCM Member represents the constituents in a particular Sector; while VN-CCM Chair and Vice-Chair are individuals who represent VN-CCM Members.

Each CCM Member has the following rights:

- i. The right to participate in all discussions and activities of VN-CCM.
- ii. The right to speak in Vietnamese language during meetings (to be translated/summarized into English for any international Members not speaking Vietnamese).
- iii. The right to receive relevant documents in either Vietnamese or English.
- iv. The right to propose an agenda item for forthcoming CCM meeting.
- v. The right to voice an opinion in all matters concerning the mandate of this body prior to decision making.
- vi. The right to sign, or to decline to sign, proposals submitted by CCM to Global Fund (provided that a CCM Member who declines to sign such a proposal provides clearly articulated reasons, which are recorded in the minutes).
- vii. The right to vote on any matter that needs to be put to a vote.
- viii. The right to propose CCM Members for the position of Chair, Vice-Chair, OC members, sub-CCM members or other sub-committee or working group membership
- ix. The right to receive compensation for travel expenses incurred to attend CCM meetings; when taking part in other CCM activities; or when undertaking assignments for CCM in other parts of the country or overseas, contingent upon VN-CCM receiving adequate funds for this purpose. When and where possible, members should seek other resources to cover these expenses before requesting reimbursement from the VN-CCM.

The rights above shall also apply to Alternates, except for items iv and v, which shall only be exercised in the absence of the Member or if the Member delegates such rights to the Alternate. Item (vi) applies to Alternates only when they are participating in place of an absent member.

### **3. Roles, Responsibilities and Rights of VN-CCM Chair:**

VN-CCM Chair is the key representative for Vietnam in discussion/ proposal to the Global Fund, or regional Principal Recipient (if any) about main issues related to CCM Vietnam activities, Global Fund grants in Vietnam. The responsibilities of the VN-CCM Chair are to act as specified in this Governance Manual and as below:

- i. Convene VN-CCM meetings to discuss CCM activities, PRs grant implementation and requirement from the Global Fund, and regional Principal Recipient (if any).
- ii. In case of emergency or need, the Chair can convene meeting with any CCM board member, CCM member, Sub-CCM, PRs, to assess/resolve the occurred event.
- iii. Request the VN-CCM Members to propose the content for the agenda of each VN-CCM meeting. Once an agenda has been approved, to ask if any member has a conflict of interest (COI) and to ensure that any COI are documented in the minutes and addressed according to the COI Policy.
- iv. Chair and establish oversight, counselling activities for PRs and SRs at central and provincial level.
- v. Host national policy, strategy and response dialogues on three diseases.
- vi. Invite / recruit independent consultants firm to monitor, evaluate before, during and after the program implementation process to provide objective information to VN-CCM in the decision-making process. (eg selection of PR / SRs, submission of grant proposals, approval of major changes during project implementation, ...)
- vii. Summarize important activities of CCM to inform CCM members.
- viii. Act as a spokesperson for the VN-CCM in official correspondence to the Global Fund and other national/ international organizations.
- ix. Sign reports sent to the Global Fund (with the consensus of the Vice Chairs).

- x. Participate in workshops, conferences related to all coordination activities both inside and outside the countries following the responsibilities of CCM Vietnam
- xi. When necessary, to delegate certain responsibilities and decisions to the Vice Chair.
- xii. Endorse the activities of the project supporting the activities of CCM Vietnam with the funding from GF during his/her term.
- xiii. Exercise periodically the activities and grant management of PRs and SRs as regulated.
- xiv. Managing the activities of the Secretariat following the tasks regulated here.

#### **4. Roles, Responsibilities and Rights of Vice Chairs:**

Based on their, the Vice Chairs together with the Chair give comment on discussion/ proposal to the Global Fund, or with regional PR (if any) about main issues related to CCM Vietnam activities, Global Fund grants in Vietnam. The responsibilities of Vice Chairs are to act as specified in this Governance Manual, and in particular:

- i. Perform tasks delegated by the Chair.
- ii. Stand in for the Chair when requested by the Chair, and when the Chair is unable to fulfil his/her functions.
- iii. Agree/Disagree with some reports of VN-CCM before the Chair approve.
- iv. Managing with the Chair the activities of the Secretariat following the tasks regulated here

#### **5. Roles, Responsibilities and Rights of the Secretariat of the VN-CCM:**

The VN-CCM shall establish a Secretariat of the VN-CCM. The VN-CCM shall approve the Terms of Reference and budget of the Secretariat. The Ministry of Health will approve reciprocal budget to support VN-CCM's activities. The Secretariat budget shall include the VN-CCM operating costs, the salary of the secretariat and consultant. The Secretariat of VN-CCM shall not play any role in grant implementation. CCM Secretariat's responsibility is to implement VN-

CCM's activities according to the VN-CCM roles, responsibilities in this manual. The VN-CCM Secretariat should, at minimum, be comprised of one (1) oversight staff, one (1) coordinator, two (2) secretary and one (1) permanent part-time Liaison Officer to maintain institutional consistency and facilitate archiving.

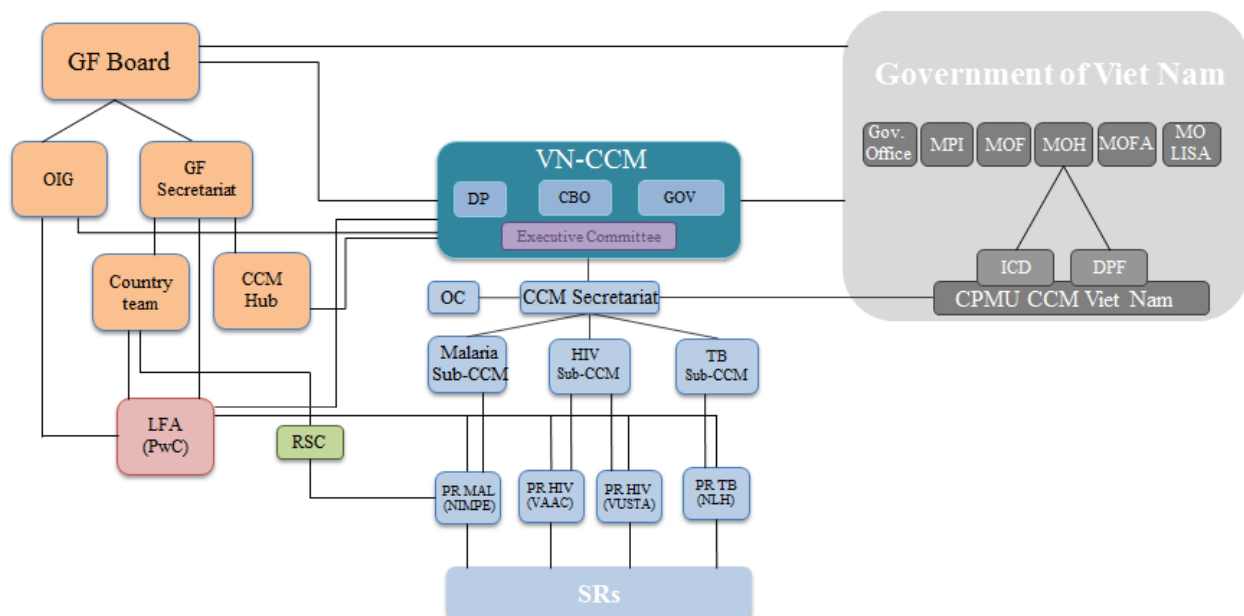
The responsibilities of the Secretariat of the VN-CCM are:

- i. Coordinate the development and submission of national proposals for funding
- ii. Select Principal Recipient(s) and Sub-recipients (SR) for VN-CCM-initiated grants financed by the Global Fund. In case VN-CCM assigns the responsibility of SR selection to Sub-CCM (s) or PR (s). The responsible Sub-CCM (s) or PR (s) must ensure a transparent and documented selection process.
- iii. Oversight the implementation of the grants based on the responsibilities of VN-CCM
- iv. Implement the monitoring and coordinating of national response, which include policy dialogue to ensure the effective implementation of the national strategy on HIV, Tuberculosis and Malaria, and to ensure the participation and effective use of the support from health care stakeholders.
- v. Support CCM chair and Executive Committee with decision making on urgent problem and a CCM Viet Nam meeting with all member is not feasible.
- vi. Execute routine activities of the Secretariat, including:
  - To support the working visits of GFATM staffs, domestic and foreign relevant agencies, VN-CCM members, delegations within the framework of VN-CCM's work.
  - To coordinate meetings of the VN-CCM and its working groups, committees and ad hoc teams, including the preparation of draft agendas, issuing meeting reminders, ensuring that meetings are only attended by people eligible to do so according to this Governance Manual, and preparing draft minutes.

- Develop action plan and budget plan for VN-CCM to be approved by the Oversight Committee and VN-CCM members.
- To distribute all relevant documentations to and facilitate information sharing among VN-CCM Members and Alternates in a timely manner.
- To ensure that the PRs share all reports and other documentation to the VN-CCM as required in the grant agreement.
- To maintain and update the VN-CCM list of members and alternates, VN-CCM distribution and mailing lists, and share them with all VN-CCM members in a timely manner and when there is any change. Each member shall inform the CCM Leadership and Secretariat for any change with its membership or alternate and related contacts.
- To organize and store all VN-CCM minutes, documents, correspondence and other records.
- To facilitate responses to enquiries from the Global Fund and VN-CCM Member Organizations.
- To facilitate and participate in activities performed by proposal-writing teams, proposal review teams, Technical Working Groups, committees and ad hoc teams of the VN-CCM.
- The Secretariat of the VN-CCM shall ensure that the PR(s) and SRs are informed of VN-CCM oversight requirements, communications from the Global Fund to the VN-CCM regarding the grants, and shall transmit feedback from the VN-CCM and invitations to VN-CCM meetings to PR and SR representatives when appropriate.
- In case of emergency or need, the Secretariat is can call for meetings to discuss and resolve technical issues with PRs, EC, OC and CCM Sub committees and technical partners; then report to the CCM Leadership about the discussions made during the meetings.
- All the activities of the Secretariat must be done following the tasks assigned in this Governance annual and must report to CCM Chair as regulated.

## C. STRUCTURE OF THE VN-CCM

### 6. The VN-CCM Organizational Model



The purpose of the Global Fund is to attract, manage and disburse additional resources through a new public-private partnership that will make a sustainable and significant contribution to the reduction of infections, illness and death, thereby mitigating the impact caused by HIV/AIDS, tuberculosis (TB) and malaria in countries in need, and contributing to poverty reduction as part of the Sustainable Development Goals (SDGs).

The Global Fund through the Office of the Inspector General and the Global Fund Secretariat works directly with CCM. The Country Team and CCM Hub (under the GF Secretariat) directly work with CCM/PRs on fund allocation, objective prioritization, project implementation, addressing difficulties and problems in the implementation process, ensuring the proper guidance of the Global Fund and the function of VN-CCM.

The Local Fund Agent – and there is generally one per country – works closely with the Country Team at the Global Fund Secretariat to evaluate and monitor activities before, during and after the implementation of a grant. It is important to understand that they do not act on behalf of the Global Fund. Local Fund Agents

are selected by Global Fund through a competitive process. They do not represent the Global Fund's views and they do not make decisions regarding grants.

CCM Viet Nam works closely with Government Agencies in the the process coordination, implementation and oversight of Global Fund project in Viet Nam, through CCM Viet Nam members who are staff of the Government Office, Ministry of Health, Ministry of Foreign Affairs, Ministry of Planning and Investment, Ministry of Finance, Ministry of Labor, War Invalids and Social Affairs are the focal points for CCM Viet Nam information of government procedures and regulation. CCM Viet Nam updates the implementation progress and disbursement capacity of Global Fund projects to ministries / sectors through CCM Viet Nam members who are representatives of government agencies, or by reports. Among the government agencies, the Ministry of Health is the focal point working with CCM Viet Nam. The Ministry of Health establishes a Project Management Unit to support the activities of CCM Viet Nam, including staff from the International Cooperation Department, the Department of Planning and Finance, to receive aid from the Global Fund and support the implementation and disbursement of CCM Viet Nam's activities from the Global Fund funds and the Vietnamese government's counterpart funds, on the basis of work plans and projections payment approved by CCM Viet Nam.

To support its function, CCM Viet Nam established 2 Committees (Executive Committee and Oversight Committee), 3 Sub-CCMs for the 03 Diseases and 1 CCM Secretariat. CCM Vietnam could also set up additional working groups and special task force to assist with urgent and special task, or mobilize personnel from PRs to support these groups. CCM Vietnam and/or PR can also find and provide expert advice when needed. CCM Secretariat assists CCM Vietnam in implementing activities. CCM Secretariat is the implementer of CCM Viet Nam activities.

## **7. The VN-CCM Organizational Structure**

The VN-CCM, like CCMs in other countries, was established as an instrument or partnership forum comprising several representative constituents who are drawn from government, nongovernment and international institutions to perform the



roles and functions described in Chapter B, above, and not as individuals representing particular organizations, entities or institutions. The structure intended here is functional, in order that the roles, functions and responsibilities can be carried out effectively and efficiently by current VN-CCM Members. For this purpose, the management of the VN-CCM is carried out by a Chair and two Vice Chairs (one from Government and one from civil society), who are assisted by a Secretary who executes the day-to-day tasks and facilitates decisions of the VN-CCM.

VN-CCM will remain a manageable size (between 20-30 members) in order to work and discharge responsibilities effectively. VN-CCM documents its organizational structure to ensure transparency.

The VN-CCM has one Chair, and two Vice Chairs. To enable the VN-CCM to function effectively, efficiently and productively, the VN-CCM is supported by three (3) Sub-CCMs and two (2) Committees (one for each disease, an Oversight Committee and an Executive Committee and one (1) Secretariat. The VN-CCM may also form further committees, working groups and ad hoc teams as needed. The VN-CCM can also seek and provide consultants as needed by the VN-CCM and/or the PRs. The form and function of the various offices and committees are described below.

#### **D. COMPOSITION OF THE VN-CCM**

##### **8. Composition & Selection of VN-CCM Members and alternates**

The VN-CCM should be comprised of 20-30 Members who represent various sectors. In addition, a minimum of 40 per cent of CCM membership should be drawn from non-government entities and/or academic and research institutions, excluding international and bilateral organizations.

These Sectors may include:

- i. Government of Viet Nam and its agencies
- ii. Civil society organizations/NGOs
- iii. People living with or affected by HIV/AIDS, TB and malaria<sup>1</sup>

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<sup>1</sup>The Global Fund requires all CCMs to show evidence of membership of people living with and/or affected by the diseases

- iv. Faith-based organizations
- v. Community organizations
- vi. Private sector
- vii. Professional associations
- viii. Research institutes and universities
- ix. International agencies including United Nations, multilateral or bilateral agencies, international donors and international NGOs.

Within each of the Sectors above, organisations that are interested in and working on issues related to HIV, TB, and Malaria can choose one or more organisations which shall then select one person to serve as a VN-CCM Member who represents that or those organizations and Sectors in the VN-CCM.

The selection process of representatives of a sector must be developed within the Sector, and must be conducted in a transparent and inclusive manner based on clear criteria. The criteria, the selection process and the results of the selection process shall be documented by the Sector. This document must be sent to the VN-CCM Secretariat, which will share it with the VN-CCM Members and make this information publicly accessible. The VN-CCM cannot dictate this process to be used for self-selection, other than to stipulate that this process must be transparent, inclusive and based on clear criteria.

All constituencies represented on the VN-CCM have the option of selecting Alternates.

## **9. Representation**

Membership of the VN-CCM should be broadly representative of stakeholders at the national level who (i) have an interest in responding to one or more of the three diseases: HIV, TB and Malaria, and/or VUSTA; (ii) reflect a gender balance; (iii) originate from rural areas or cities including other than from the capital; (iv) represent at-risk communities. Efforts should be made to ensure that representatives from these sectors are, as far as possible, in senior positions.

- i. The membership of the VN-CCM comprises a minimum of 40% representation of the non-government sectors such as NGOs, people living with the diseases, private sector, academic institutions.

- ii. VN-CCM includes representation from provinces through direct geographical representation in the CCM.
  - iii. VN-CCM ensures the representation of key affected populations, taking into account the socio-epidemiology of the three diseases and the national context.
  - iv. Every effort shall be made to encourage the membership of women in the VN-CCM, and to ensure that the VN-CCM includes people with in-depth understanding of the gender dimensions of the epidemics.
  - v. Organizations serving as PR shall not be voting Members of the VN-CCM but shall be requested to attend VN-CCM meetings in a non-voting capacity.
  - vi. Organization serving as the LFA shall be requested to attend VN-CCM meetings in a non-voting capacity.
  - vii. The number and composition of VN-CCM membership shall be reviewed every three (3) years to maintain optimal representation and performance.
- 9.1. Members shall be nominated as person from organizations within their constituencies.
- 9.2. Each organization shall nominate one VN-CCM Member and one Alternate. A sector can decide that a Member and Alternate should be from different organizations. In that case the decision needs to be documented and communicated to the VN-CCM.8.3. In the case where no registered organization can be nominated, individuals can be nominated. This shall for example apply for Members representing people living with a disease. In this case, existing networks and/or groups will be assisted to make a transparent and fair selection of representation to VN-CCM.

## **10. Term of Membership**

VN-CCM Members and Alternates serve for a term of three (3) years. Upon the expiry of her/his first term, a VN-CCM Member or Alternate may be chosen by her or his sector to serve a further term, and there will be a new selection process at this point.

No more than fifty per cent (50%) of the CCM membership should be up for re-election at any given time to ensure continuity of business.

The VN-CCM shall have an orientation process for new VN-CCM Members and Alternates. This shall include an introduction to this Governance Manual. The Global Fund advises that training and orientation of CCM Members is an eligible administrative cost to be included in a CCM budget request to the Global Fund, in order for VN-CCM members to be able to most effectively carry out their roles and responsibilities.

The names and contact details of all Members and Alternates are to be provided to, and made readily available to all interested organizations including Sub-CCMs, PRs, LFA, SRs and SSRs, by the Secretariat of the VN-CCM.

## **11. Election of VN-CCM Chair and Vice Chairs**

11.1. The VN-CCM is composed of Members, who shall elect a Chair and two (2) Vice-Chairs among their Members.

11.2. The VN-CCM must ensure that neither its Chair nor its Vice-Chairs is/are from PR, SR or SSR of grants financed by the Global Fund. If this does not prove possible, the VN-CCM shall use its conflict of interest plan to mitigate this inherent conflict of interest.

## **12. Election of the VN-CCM Chair**

12.1. The VN-CCM shall have one Chair.

12.2. The Chair will be elected by simple majority of the eligible VN-CCM Members by secret ballot.

12.3. The initial term of office of the Chair will be for a period of three (3) years, renewable one (1) time only.

12.4. Candidates for the VN-CCM Chair shall not come from any PR, SR and SSR.

12.5. Neutrality of the Chair

- i. The mandate of the Chair is to serve the VN-CCM as a whole in a neutral manner, to help the VN-CCM to make decisions in a

participatory manner, to help the VN-CCM to fulfil its mandate and to ensure that the VN-CCM complies with its governance principles.

- ii. In the event of a tied vote in VN-CCM meetings the Chair shall have the casting vote.

#### 12.6. Acting Chair

- i. If VN-CCM Chair is not present at a VN-CCM meeting, the Vice Chair shall serve as Acting Chair.
- ii. In this Governance Manual, the responsibilities of the Chair shall also apply to the Acting Chair.

#### 12.7. Decisions made between VN-CCM meetings:

When matters arise that require decisions prior to the next scheduled VN-CCM meeting, the Chair may take the following measures:

- i. For very significant and/or urgent issues that affect the implementation or continuation of GF-funded projects, the Chair shall consult with the Vice Chairs and/or the relevant Committee or Working Group about options available to the VN-CCM to consider such issues.
- ii. If it is both necessary and possible to convene a VN-CCM Special Meeting, the matter will then be discussed at the Special Meeting.

#### 12.8. Removal

The VN-CCM can ask the Chair to resign prior to the end of her/his term. Such a request must be agreed by a two-thirds majority of the Members.

#### 12.9. Mid-term departure

If for any reason such as health, the Chair is unable to continue as VN-CCM Chair, resigns or is removed prior to the end of her/his term, an election must be held and agreed by a two-thirds majority of the Members to complete the former Chair's term of office.

### **13.Election of VN-CCM Vice-Chair**

13.1. The VN-CCM shall have two (2) Vice-Chairs, one from the government and its agencies and one from international agencies.

13.2. The Vice-Chairs will be elected by simple majority of the eligible VN-CCM Members by secret ballot or by show of hands.

### 13.3. Removal:

The VN-CCM can ask a Vice-Chair to resign prior to the end of her/his term. Such a decision shall be taken with a two-thirds majority vote of the VN-CCM Members.

### 13.4. Mid-term departure:

If for any reason such as health, a Vice Chair is unable to continue in the role as VN-CCM Vice Chair, resigns or is removed prior to the end of her/his term, an election must be held and agreed by a two-thirds majority of the Members to complete the former Vice Chair's term of office

## **14. Secretariat Officials and Staff**

14.1. The Secretariat shall have its own Secretary and additional staff as decided by the VN-CCM, who shall be recruited through a competence-based selection process.

14.2. The Secretariat Secretary shall be selected and appointed by VN-CCM for a term of 3 years.

14.3. Renewal of the Secretariat Secretary will be based on performance assessment, undertaken by the CCM.

## **15. Executive Committee:**

15.1. The Executive Committee is consisted of 7 CCM members including: the Chair, Vice-Chair, representatives from government agencies, bilateral-multilateral partners, civil-society organizations.

15.2. Roles of Executive Committee:

i. Give decisions to emergency issues which needed to be solved quickly that cannot wait for a CCM Meeting. The results of the meeting will be circulated to CCM members.

ii. In case of need, CCM Chair will invite the Leaders of CCM Sub-committees to participate in the meeting of Executive Committee to make necessary decisions/comments.

iii. Together with CCM Chair, and in the absent of CCM Chair, manage the activities of CCM in place of the Chair: coordinate CCM meetings, oversee PRs’ activities

15.3. CCM Chair holds the position of the Chair of the Executive Committee. Decision on the membership of the Executive Committee will be endorsed by document signed by CCM Chair.

STT No	Tên Name	Cơ quan Organization	Vị trí Position
1	Mr. Phạm Lê Tuấn	Nguyên Thứ trưởng, Bộ Y tế <i>Former vice minister, MoH</i>	Chủ tịch <i>Chair</i>
2	Mr. Kidong Park	Đại diện Tổ chức y tế thế giới <i>Representative of WHO</i>	Phó Chủ tịch <i>Vice-Chair</i>
3	Ms. Nguyễn Thị Minh Châu	Bộ Y tế <i>MoH</i>	Phó Chủ tịch <i>Vice-Chair</i>
4	Mr. Mark Troger	Đại diện Đại sứ quán Mỹ, PEPFAR <i>Representative of US Embassy, PEPFAR</i>	Thành viên <i>Official Member</i>
5	Mr Đoàn Hữu Bảy	Văn phòng chính phủ <i>Government Office</i>	Thành viên <i>Official Member</i>
6	Mr. Nguyễn Trọng An	Đại diện VNGO phía Bắc <i>Representative of Northern VNGOs</i>	Thành viên <i>Official Member</i>
7	Mr. Nguyễn Anh Phong	Đại diện người sống chung với HIV <i>Representative of PLHIV</i>	Thành viên <i>Official Member</i>

## 16. Oversight Committee:

16.1. The Oversight Committee consisted of 9 members or more, including the representative of all 3 constituencies: Government, Development Partners and Civil-Society Organizations (including representatives from the group of people living with diseases). OC members can be CCM members or non-CCM members.

16.2. OC members must be people with professions and skills which can ensure the oversight and counselling function (these skills may include: knowledge of diseases, field oversight, audit, bidding etc...).

16.3. Oversight Committee members must commit on the time, responsibility and no Conflict of Interest.

16.4. Members of OC have the responsible to support CCM in:

- i. Develop work plans and budget for Oversight Committee for CCM approval.
  - ii. Support CCM with its oversight function by developing oversight tool, oversight plan, and participate in oversight activities.
  - iii. Assist the CCM in oversight activities, including monitoring of PR and SRs performance through review of quarterly reports on financial status, management and programmatic aspects, prior to CCM meetings
  - iv. Review and advise CCM on the reports submitted by PRs, LFA CCM Sub-committee. The CCM Oversight Committee plays an important role in supporting CCM fulfill oversight responsibility. With the support of technical working groups, the OC will review the reports of PRs and propose comments and advices on the progress of PRs prepared by VN-CCM Secretariat, for CCM to discuss and endorse in quarterly meeting.
  - v. Collect quarterly activity reports from PRs and SRs to make a summarize then submit them to CCM Chair through CCM Secretariat; collect and summarize reports and if requested by the Global Fund and CCM Chair.
- 16.5. Decision on the membership and Chair of the Oversight Committee shall be endorsed by document signed by CCM Chair.



STT No	Tên Name	Cơ quan Organization	Vị trí Position
1	Ms. Nguyễn Thị Minh Châu	Bộ Y tế <i>MoH</i>	Chủ tịch <i>Chair</i>
2	Mr. Thomas Mourez	Đại diện ĐSQ Pháp <i>Representative of French Embassy</i>	Phó Chủ tịch <i>Vice-Chair</i>
3	Ms. Tiêu Thị Thu Vân	Đại diện VNGO phía Nam <i>Representative of Southern VNGOs</i>	Phó Chủ tịch <i>Vice-Chair</i>
4	Ms. Nông Thị Hồng Hạnh	Bộ Kế hoạch và đầu tư <i>MPI</i>	Thành viên <i>Official Member</i>
5	Ms. Otsu Satoko	Đại diện Tổ chức y tế thế giới <i>Representative of WHO</i>	Thành viên <i>Official Member</i>
6	Ms. Marie-Odile Emond	Đại diện UNAIDS <i>UNAIDS Country Director</i>	Thành viên <i>Official Member</i>
7	Mr. Mark Troger	Đại diện Đại sứ quán Mỹ, PEPFAR <i>Representative of US Embassy, PEPFAR</i>	Thành viên <i>Official Member</i>
8	Mr. Phạm Tuấn Sinh	Đại diện các tổ chức dựa vào cộng đồng miền Bắc <i>Representative of Northern CBOs</i>	Thành viên <i>Official Member</i>
9	Mr. Huỳnh Tiến Đạt	Đại diện các tổ chức dựa vào cộng đồng miền Nam <i>Representative of Southern CBOs</i>	Thành viên <i>Official Member</i>
10	Mr. Đỗ Gia Trường Đức	Đại diện nhóm người quan hệ đồng tính nam <i>Representative of MSM Population</i>	Thành viên <i>Official Member</i>

## E. SUB-CCMS FOR HIV, TB, MALARIA AND HEALTH SYSTEM STRENGTHENING

### 17. Purpose and Objectives

- 17.1. The Sub-CCMs are bodies that have been established for each of the three diseases (HIV/AIDS, Tuberculosis and Malaria) and given a mandate by the VN-CCM to provide coordination among partners, to provide clarity on major technical and policy issues, and to facilitate and guide proposal development and implementation.
- 17.2. The disease specific Sub-CCMs support PRs construct Concept Notes, give professional comments for proposals to submit to Global Fund. Additional experts maybe invited for the discussions if needed. The Sub-CCMs may develop working groups as and when required. The composition of the working groups is decided by each Sub-CCM, and may include a mix of VN-CCM members and non-VN-CCM member from the respective Sub-

CCMs. The Sub-CCMs will work closely with the VN-CCM Oversight Committee to provide the best support to VN-CCM to perform its oversight function.

- 17.3. In addition, the Sub-CCMs are mandated to meet to discuss, review and endorse proposals, reports and other documents, carry out the assignments given to them. The Sub-CCMs should pass their recommendations with regard to proposal approval (or lack thereof) to the CCM, supported by a synopsis of the proposal, highlighting strengths and weaknesses. The sub-CCM should pass their recommendations with regard to grant implementation to the CCM supported by an analysis of progress, highlighting requests for action by CCM.
- 17.4. All formal activities/meetings are documented and reported to VN-CCM.
- 17.5. Members of the Sub-CCM will serve for 3 years. They can be re-elected through an inclusive and transparent process within their respective constituency.
- 17.6. Each Sub-CCM will review its Terms of Reference and submit it to CCM for endorsement.

### **18.Sub-CCM: HIV**

The HIV Sub-CCM is an inclusive, multi-stakeholder mechanism established under the VN-CCM. Membership may change and evolve. However, a broad range of constituencies – GVN and its agencies, non-government organizations, civil society, faith-based, private sector, and multi and bilateral agencies - should be represented.

The HIV Sub-CCM will carry out tasks as delegated by the VN-CCM.

### **Terms of Reference**

The specific tasks of the HIV Sub-CCM include but are not limited to:

- 18.1. Support the development of proposals to submit to the Global Fund ensuring that proposals meet GVN regulations as well as Global Fund requirements
- 18.2. Support the preparation of comments for the Technical Review Panel (TRP)
- 18.3. Coordination of implementing partners at national and provincial levels

- 18.4. Review of the development of proposals that are - output based; have clear indicators for outputs, outcomes and impact; identified outcomes; have budgets based on unit costs
- 18.5. Advising implementing partners on technical matters related to the implementation of the programme
- 18.6. Advising CCM with regard to proposal approval, supported by a synopsis of the proposal, including a list of strengths and weaknesses. The synopsis should be submitted to the CCM two (2) weeks prior to the CCM proposal approval meeting to allow time for CCM members to read the synopsis and prepare comments and feedback
- 18.7. Advising the VN-CCM on policy issues, including the development and implementation of major donor funded initiatives.

**Operation:**

- 18.8. The Sub-CCM shall be supported by the Secretary of the Secretariat in facilitating the meetings, arranging translation, and in minute taking and dissemination of minutes to all Sub-CCM members within one week of the Sub-CCM meeting and to all CCM members within three weeks of the Sub-CCM meeting.
- 18.9. Members of the Sub-CCM self-selected to represent sectors shall have term limits as defined by those sectors. Sub-CCM membership shall be reviewed once a year by the Sub-CCM to reflect on any needed changes.
- 18.10. Need to introduce the notion of chair and vice chair including eligibility, election tenure and who calls for meetings

**Frequency of meetings:**

- 18.11. The HIV Sub-CCM will meet on a quarterly basis.
- 18.12. Special ad hoc meetings may be organized. The Chair will endeavour to provide one week's notice for ad-hoc meetings.

#	Vị trí Position	Cơ quan Organization	Thành viên chính thức Official member
1.	Trưởng tiểu ban <i>Chair</i>	Cục Phòng chống HIV/AIDS VAAC	Mr. Nguyễn Hoàng Long <a href="mailto:longmoh@yahoo.com">longmoh@yahoo.com</a>
2.	Phó Trưởng tiểu	UNAIDS	Ms. Marie-Odile Emond

	ban <i>Vice chair</i>		<a href="mailto:emondm@unaids.org">emondm@unaids.org</a>
3.	Phó Trưởng tiểu ban <i>Vice chair</i>	VUSTA	Mr Phạm Nguyên Hà <a href="mailto:nguyenha.vustagf@gmail.com">nguyenha.vustagf@gmail.com</a>
4.	Thành viên <i>Member</i>	Văn phòng Chính phủ <i>Government Office</i>	Mr Đoàn Hữu Bảy <a href="mailto:doanhuubay@chinhphu.vn">doanhuubay@chinhphu.vn</a>
5.	Thành viên <i>Member</i>	Bộ Tài chính <i>Representative of MOF</i>	Mr Võ Hữu Hiến <a href="mailto:vohuuhien@mof.gov.vn">vohuuhien@mof.gov.vn</a>  Alternate: Mr Nguyễn Ngọc Hưng <a href="mailto:nguyenngochung@mof.gov.vn">nguyenngochung@mof.gov.vn</a>
6.	Thành viên <i>Member</i>	Bộ Kế hoạch và Đầu tư <i>Representative of MPI</i>	Ms. Nông Thị Hồng Hạnh <a href="mailto:nongthihonghanh@mpi.gov.vn">nongthihonghanh@mpi.gov.vn</a> , <a href="mailto:hanhnong@gmail.com">hanhnong@gmail.com</a>
7.	Thành viên <i>Member</i>	PEPFAR	Mr. Mark Troger <a href="mailto:TrogerM@state.gov">TrogerM@state.gov</a>
8.	Thành viên <i>Member</i>	Đại sứ quán Pháp <i>French Embassy</i>	Mr. Thomas Mourez <a href="mailto:thomas.mourez@diplomatie.gouv.fr">thomas.mourez@diplomatie.gouv.fr</a>
9.	Thành viên <i>Member</i>	UNODC	Mr. Nguyễn Thanh Cường <a href="mailto:Cuong.NGUYEN@unodc.org">Cuong.NGUYEN@unodc.org</a>
10.	Thành viên <i>Member</i>	USAID	Ms Ritu Singh <a href="mailto:risingh@usaid.gov">risingh@usaid.gov</a>
11.	Thành viên <i>Member</i>	Cơ quan Kiểm soát và phòng ngừa bệnh tật Hoa Kỳ <i>US CDC</i>	Mr. John Blandford
12.	Thành viên <i>Member</i>	Tổ chức Y tế Thế giới <i>World Health Organization</i>	Ms. Nguyễn Thị Thuý Vân <a href="mailto:nguyenva@who.int">nguyenva@who.int</a>
13.	Thành viên <i>Member</i>	Đại diện Bộ Công An <i>Representative of MPS</i>	
14.	Thành viên <i>Member</i>	Đại diện VNGO khu vực phía Nam <i>Representative of Southern VNGOs</i>	Ms. Tiêu Thị Thu Vân <a href="mailto:tiethithuvan.bs@gmail.com">tiethithuvan.bs@gmail.com</a>
15.	Thành viên <i>Member</i>	Đại diện CBO phía Bắc <i>Representative of Northern CBOs</i>	Mr. Phạm Tuấn Sinh <a href="mailto:sinhpham521993@gmail.com">sinhpham521993@gmail.com</a>
16.	Thành viên <i>Member</i>	Đại diện người sống chung với HIV <i>PLWHIV (VNP+)</i>	Mr. Nguyễn Anh Phong <a href="mailto:phonganhnguyen79@gmail.com">phonganhnguyen79@gmail.com</a>
17.	Thành viên <i>Member</i>	Đại diện nhóm người tiêm chích ma túy <i>Representative of Northern KAP (VNPUD)</i>	Ms. Phạm Thị Minh <a href="mailto:phamthiminh.venha@gmail.com">phamthiminh.venha@gmail.com</a>

## **19.Sub-CCM: TB**

The TB Sub-CCM is an inclusive, multi-stakeholder mechanism established under the VN-CCM. Membership may change and evolve. However, a broad range of constituencies – GVN and its agencies, non-government organizations, civil society, faith-based, private sector, and multi and bilateral agencies - should be represented.

The TB Sub-CCM will carry out tasks as delegated by the VN-CCM.

### **Terms of Reference**

The specific tasks of the TB Sub-CCM include but are not limited to:

- 19.1. Support the development of proposals to submit to the Global Fund ensuring that proposals meet GVN regulations as well as Global Fund requirements
- 19.2. Support the preparation of comments for the Technical Review Panel (TRP)  
Coordination of implementing partners at national and provincial levels
- 19.3. Review of the development of proposals that are - output based; have clear indicators for outputs, outcomes and impact; identified outcomes; have budgets based on unit costs
- 19.4. Advising implementing partners on technical matters related to the implementation of the programme
- 19.5. Advising CCM with regard to proposal approval, supported by a synopsis of the proposal, including a list of strengths and weaknesses. The synopsis should be submitted to the CCM two (2) weeks prior to the CCM proposal approval meeting to allow time for CCM members to read the synopsis and prepare comments and feedback
- 19.6. Advising the VN-CCM on policy issues, including the development and implementation of major donor funded initiatives.

### **Operation:**

- 19.7. The Sub-CCM shall be supported by the Secretary of the Secretariat in facilitating the meetings, arranging translation, and in minute taking and dissemination of minutes to all Sub-CCM members within one week of the Sub-CCM meeting and to all CCM members within three weeks of the Sub-CCM meeting.

19.8. Members of the Sub-CCM self-selected to represent sectors shall have term limits as defined by those sectors. Sub-CCM membership shall be reviewed once a year by the Sub-CCM to reflect on any needed changes.

19.9. Need to introduce the notion of chair and vice chair including eligibility, election tenure and who calls for meetings

### Frequency of meetings:

19.10. The TB Sub-CCM will meet on a quarterly basis.

19.11. Special ad hoc meetings may be organized. The Chair will endeavour to provide one week's notice for ad-hoc meetings.

#	Vị trí <i>Position</i>	Cơ quan <i>Organization</i>	Thành viên chính thức <i>Official member</i>	Thành viên dự khuyết <i>Alternative member</i>
1.	Trưởng tiểu ban <i>Chair</i>	Chương trình chống Lao Quốc gia <i>National TB Program</i>	Mr. Nguyễn Việt Nhung <a href="mailto:vietnhung@yahoo.com">vietnhung@yahoo.com</a>	Mr. Nguyễn Đức Chính <a href="mailto:ducchinh60@yahoo.com">ducchinh60@yahoo.com</a>
2.	Phó Trưởng tiểu ban <i>Vice chair</i>	Tổ chức Y tế Thế giới <i>World Health Organization</i>	Ms. Otsu Satoko <a href="mailto:otsus@who.int">otsus@who.int</a>	Mr. Vu Quang Hieu <a href="mailto:vuh@who.int">vuh@who.int</a>
3.	Thành viên <i>Member</i>	Hội Lao và Bệnh phổi VN Viet Nam <i>Association against Tuberculosis and Lung Diseases</i>	Mr. Đinh Ngọc Sỹ <a href="mailto:syminhquan@gmail.com">syminhquan@gmail.com</a>	Mr. Nguyễn Bình Hòa <a href="mailto:nguyenbinhhoatb@yahoo.com">nguyenbinhhoatb@yahoo.com</a>
4.	Thành viên <i>Member</i>	Văn phòng Chính phủ <i>Government Office</i>	Mr. Đoàn Hữu Bảy <a href="mailto:doanhuubay@chinhphu.vn">doanhuubay@chinhphu.vn</a>	
5.	Thành viên <i>Member</i>	Trung tâm Hỗ trợ Phụ nữ phòng chống HIV/AIDS và Chăm sóc sức khỏe sinh sản <i>Centre for supporting</i>	Ms. Đặng Cẩm Tú 0933026868 <a href="mailto:Dangcamtu0711@gmail.com">Dangcamtu0711@gmail.com</a>	

		<i>HIV/AIDS Prevention and Reproductive Health Care for Women</i>		
6.	Thành viên <i>Member</i>	Cơ quan Kiểm soát và phòng ngừa bệnh tật Hoa Kỳ <i>CDC</i>	Ms. Alysa Finlay <a href="mailto:avf0@cdc.gov">avf0@cdc.gov</a>	Ms. Ho Thi Van Anh <a href="mailto:hny8@cdc.gov">hny8@cdc.gov</a>
7.	Thành viên <i>Member</i>	Cơ quan phát triển quốc tế Hoa Kỳ <i>USAID</i>	Mr. Pham Huy Minh <a href="mailto:mpham@usaid.gov">mpham@usaid.gov</a>	
8.	Thành viên <i>Member</i>	Hội Chống Lao Hoàng gia Hà Lan <i>KNCV</i>	Ms. Nguyễn Thiên Hương <a href="mailto:huong.nguyen@kncvtbc.org">huong.nguyen@kncvtbc.org</a>	Ms. Nguyễn Bích Loan <a href="mailto:Nguyenbich.loan@kncvtbc.org">Nguyenbich.loan@kncvtbc.org</a>
9.	Thành viên <i>Member</i>	Viện Nghiên cứu Y khoa Woolcock <i>Woolcock Institute</i>	Ms. Nguyen Thu Anh <a href="mailto:thuanh.nguyen@sydney.edu.au">thuanh.nguyen@sydney.edu.au</a>	
10.	Thành viên <i>Member</i>	Tổ chức FIT Friends for <i>International TB Relief</i>	Mr. Nguyen Quang Vo Luan <a href="mailto:luan.vo@tbhelp.org">luan.vo@tbhelp.org</a>	
11.	Thành viên <i>Member</i>	Trung tâm Hỗ trợ Sáng kiến Phát triển Cộng đồng (SCDI) <i>Centre for Supporting Community Development Initiatives</i>	Ms. Khuat Thi Hai Oanh <a href="mailto:oanhkhuat@scdi.org.vn">oanhkhuat@scdi.org.vn</a>	Ms. Kieu Thi Mai Huong <a href="mailto:huongkieu@scdi.org.vn">huongkieu@scdi.org.vn</a>
12.	Thành viên <i>Member</i>	Tổ chức CHAI <i>Clinton Health Access Initiative</i>	Mr. Ngô Đăng <a href="mailto:dang.ngo@clintonhealthaccess.org">dang.ngo@clintonhealthaccess.org</a>	Mr. Lưu Tuấn <a href="mailto:tluu@clintonhealthaccess.org">tluu@clintonhealthaccess.org</a>
13.	Thành viên <i>Member</i>	Bộ Công an <i>Ministry of Public Security</i>	Đại tá Phạm Thị Lan Anh – Phó Cục trưởng Cục Y tế <a href="mailto:lananh1168@yahoo.com">lananh1168@yahoo.com</a>	Thượng tá Dương Thị Thu Hằng - Trưởng phòng Y tế dự phòng, Cục Y tế
14.	Thành	Cục C10 – Bộ	Thiếu tướng Hoàng Xuân Du -	Thiếu tá Hoàng Thị Tuyết –

	viên <i>Member</i>	công an <i>Ministry of Public Security</i>	Phó cục trưởng Cục Quản lý trại giam (không có email)	Trưởng phòng Y tế <a href="mailto:Lanh.n.truongdat@gmail.com">Lanh.n.truongdat@gmail.com</a>
15.	Thành viên <i>Member</i>	Hội Nông dân VN <i>Farmers' Union</i>	Mr. Lê Anh Dũng <a href="mailto:leanhdung2010@gmail.com">leanhdung2010@gmail.com</a>	
16.	Thành viên <i>Member</i>	Đại diện bệnh nhân Lao/HIV <i>TB/HIV patient</i>	Ms. Nguyễn Ánh Phương <a href="mailto:pinkcat.city@gmail.com">pinkcat.city@gmail.com</a>	Mr. Chu Thái Sơn <a href="mailto:s.chuthai@yahoo.com">s.chuthai@yahoo.com</a>

## 20. Sub-CCM: Malaria

The Malaria Sub-CCM is an inclusive, multi-stakeholder mechanism established under the VN-CCM. Membership may change and evolve. However, a broad range of constituencies – GVN and its agencies, non-government organizations, civil society, faith-based, private sector, and multi and bilateral agencies - should be represented.

The Malaria Sub-CCM will carry out tasks as delegated by the VN-CCM. In addition, it provides advice and guidance to the implementation of relevant projects and to the national response to malaria.

### Terms of Reference

The specific tasks of the Malaria Sub-CCM include but are not limited to:

- 20.1. Support the development of proposals to submit to the Global Fund ensuring that proposals meet GVN as well as Global Fund requirements
- 20.2. Support the preparation of comments for the Technical Review Panel (TRP) Coordination of implementing partners at national and provincial levels
- 20.3. Advising implementing partners on technical matters related to the implementation of the programme
- 20.4. Oversight of the development of proposals that are - output based; have clear indicators for outputs, outcomes and impact; identified outcomes; have budgets based on unit costs
- 20.5. Advising CCM with regard to proposal approval, supported by a synopsis of the proposal, including a list of strengths and weaknesses. The synopsis



should be submitted to the CCM two (2) weeks prior to the CCM proposal approval meeting to allow time for CCM members to read the synopsis and prepare comments and feedback

- 20.6. Advising the VN-CCM on policy issues, including the development and implementation of major donor funded initiatives

**Operation:**

- 20.7. The Sub-CCM shall be supported by the Secretary of the Secretariat in facilitating the meetings, arranging translation, and in minute taking and dissemination of minutes to all Sub-CCM members within one week of the Sub-CCM meeting and to all CCM members within three weeks of the Sub-CCM meeting.

- 20.8. Members of the Sub-CCM self-selected to represent sectors shall have term limits as defined by those sectors. Sub-CCM membership shall be reviewed once a year by the Sub-CCM to reflect on any needed changes

- 20.9. Need to introduce the notion of chair and vice chair including eligibility, election tenure and who calls for meetings

**Frequency of meetings:**

- 20.10. The Malaria Sub-CCM will meet on a quarterly basis.

- 20.11. Special ad hoc meetings may be organized. The Chair will endeavour to provide one week's notice for ad-hoc meeting

#	Vị trí Position	Cơ quan Organization	Thành viên chính thức Official member
1.	Trưởng tiểu ban <i>Chair</i>	Viện Sốt rét KST CT TU VAAC	Mr. Trần Thanh Dương tranthanhduong@hotmail.com
2.	Phó Trưởng tiểu ban <i>Chair Vice chair</i>	Vụ Hợp tác quốc tế Bộ Y tế MOH	Mr Nguyễn Mạnh Cường nmentlp@yahoo.com
3.	Thành viên <i>Member</i>	Văn phòng Chính phủ <i>Government Office</i>	Mr Đoàn Hữu Bẩy doanhuubay@chinhphu.vn
4.	Thành viên <i>Member</i>	Đại diện Bộ Kế hoạch và Đầu tư <i>Representative of MPI</i>	Ms. Nông Thị Hồng Hạnh nongthihonghanh@mpi.gov.vn
5.	Thành viên <i>Member</i>	Đại diện Bộ Tài chính <i>Representative of MOF</i>	Mr. Võ Hữu Hiến vohuuhien@mof.gov.vn
6.	Thành viên <i>Member</i>	Đại diện người sống chung với Sốt rét PLWMAL	Mr Nguyễn Văn Sinh nguyenvansinhhanh1956@gmail.com

7.	Thành viên <i>Member</i>	Đại diện Bộ Y tế <i>Representative of MOH</i>	Mr Chu Văn Tuyền tuyenquan506@gmail.com
8.	Thành viên <i>Member</i>	Chuyên gia Sốt rét <i>Senior consultant</i>	Mr Lê Xuân Hùng xuanhungvsr@yahoo.com
9.	Thành viên <i>Member</i>	Chuyên gia Sốt rét <i>Senior consultant</i>	Mr. Nguyễn Mạnh Hùng drmanhhung@gmail.com
10.	Thành viên <i>Member</i>	Đại diện WHO <i>Representative of WHO</i>	Mr. Trần Công Đại TranCongD@who.int
11.	Thành viên <i>Member</i>	Đại diện Bộ Quốc phòng <i>Representative of MoD</i>	Mr Nguyễn Chính Phong ngchinhphong@gmail.com
12.	Thành viên <i>Member</i>	Đại diện ĐSQ Úc <i>Representative of Australia Embassy</i>	
13.	Thành viên <i>Member</i>	Đại diện ngân hàng ADB <i>Representative of ADB</i>	
14.	Thành viên <i>Member</i>	Đại diện IOM <i>Representative of IOM</i>	Mr. Nguyễn Quốc Nam
15.	Thành viên <i>Member</i>	Đại diện HPA <i>Representative of HPA</i>	Mr. Trần Quốc Túy tuy@healthpovertyaction.org

## F. FUNCTIONS OF THE VN-CCM

### VN-CCM Meetings

#### 21.Types and Frequency of VN-CCM Meetings

- 21.1. The VN-CCM shall hold at least four Meetings per year on quarterly basis. Additional Special Meetings may be convened by the Chair or the Vice Chair, or may be convened pursuant to a written request submitted to the Secretariat of VN-CCM by at least six VN-CCM Members or by the Chair of a Sub-CCM.
- 21.2. VN-CCM meetings shall be conducted in the Vietnamese language while VN-CCM members have the right to speak in English language (to be translated for any national members not speaking English).
- 21.3. When agreed by the VN-CCM and organized by the VN-CCM secretariat, additional people (observers) may be invited to participate in the VN-CCM meetings, provided that such people are introduced at the beginning of the meeting and the reasons for their presence are explained. There should be a

written (email) request with short justification to the Chair, Vice-Chairs copying Secretariat to invite and that invitation is for specific meetings for specific reasons. Observers will not have voting rights.

- 21.4. VN-CCM working groups, committees and ad hoc teams shall hold meetings in accordance with their Terms of Reference and with the provisions in this Governance Manual. The results shall be recorded and reported to the VN-CCM.

## **22.Meeting Procedure and Voting**

- 22.1. Each VN-CCM meeting can be attended by the Member or Alternate.
- 22.2. The VN-CCM shall take decisions whenever possible by consensus. If all means used have not led to a consensus, the decision will be put to a vote and any Member with voting rights can request a vote. Decisions are reached by a simple majority of the votes with the exception of modifying these Terms of Reference of this Governance Manual and the selection of the PR which require a two thirds majority.
- 22.3. Voting (other than when there is a secret ballot) shall normally be by show of hands.
- 22.4. Where any Member requests a formal recorded vote, the vote shall (if necessary) be repeated, and each Member vote must then be recorded in the minutes.
- 22.5. When neither a Member nor an Alternative is present, that Member may not vote and may not have anyone else vote on his or her behalf.
- 22.6. The election of the Chair, the Vice Chair and other key decisions (including but not limited to PR selection) shall be by secret ballot.
- 22.7. In the event of a tie in any vote, the Chair may cast a vote to break the tie.

## **23.Quorum**

- 23.1. A quorum is reached when at least half plus one (50% +1) of the voting Members or their Alternates attend, including at least three (3) Members from the government and seven (7) Members from the non-government sectors. If no quorum exists a meeting with same agenda will be called

within two (2) weeks. Standard attendance signature sheets will be used to facilitate determination of quorum and to inform the VN-CCM Chair of the status of the quorum.

- 23.2. If, within thirty minutes of the scheduled start time of a VN-CCM meeting, a quorum is not present, the Chair or Acting Chair shall cancel the meeting, unless the Members decide to proceed with meeting as information sharing and there are no decisions to be made.
- 23.3. Any decision made at a VN-CCM meeting is only valid if a quorum is present. The attendance of members at each VN-CCM meeting shall be formally recorded in the minutes.

## **24. Notice and Agenda**

- 24.1. All VN-CCM Members must receive, by email, fax or letter, at least two (2) weeks prior notice of each general meeting of the VN-CCM. This prior notice must specify the proposed agenda. The agenda may be modified and must be approved at the start of each meeting. Members have the right to submit agenda items to the Secretary of the Secretariat, the Chair or the Vice-Chair.
- 24.2. Members and Alternates shall be notified of Special or Emergency Meetings at least one (1) week before the meeting and informed of the need and purpose for such meeting.
- 24.3. The draft agenda for the VN-CCM meeting shall be compiled by the Chair in consultation with the Vice Chairs, with support from the Secretariat. At the start of each meeting, the agenda may be modified and approved by VN-CCM.
- 24.4. Background papers must be sent five (5) days prior to the meeting. These papers must cover, for each grant:
  - i. A summary report from each of the PR on the latest progress report of the grant implementation, sent to Global Fund by the PR. This report must include progress on indicators against objectives and targets, progress against the budget, explanations of variances, and challenges encountered.

- ii. The agenda of each VN-CCM Meeting shall include opportunities for the relevant sub-CCM to make comment on the PR summary report.
- 24.5. The background papers sent prior to each VN-CCM Meeting shall also include a report from the Secretary of the Secretariat on its activities since the previous, committees and ad hoc teams. The agenda of each meeting shall include the opportunity to discuss this report and to ask questions of the Secretary.

## **25.Minutes**

- 25.1. Minutes will be taken by the Secretariat of the VN-CCM and the draft will be distributed in Vietnamese and English languages not more than one (1) week after a VN-CCM meeting.
- 25.2. The minutes of VN-CCM meetings shall record any decisions made, as well as any dissents articulated at the meeting to any decision.
- 25.3. At the following meeting, these draft minutes shall be discussed, amended as necessary, and then approved by the VN-CCM, and published in VN-CCM Website.

## **26.Non-compliance and non-attendance of CCM Members**

- 26.1. If any VN-CCM Member persistently fails to comply with this Governance Manual, any five VN-CCM Members may propose in writing to the VN-CCM that the VN-CCM Member in question be removed from the VN-CCM. The proposal will be discussed and voted upon by the VN-CCM, and requires a consensus (a two-thirds majority of all CCM Members) to pass. If such a resolution passes, the Sector in question will then have to select a new VN-CCM Member within a one month period and the update list of members and alternates should be shared with all VN-CCM members.
- 26.2. A Sector may replace its Member or Alternate prior to the end of her/his term due to illness or other reason, so long as this is done through a process that is transparent and inclusive and based on clear criteria.
- 26.3. If there are three (3) successive VN-CCM or Special VN-CCM meetings or Sub-CCM meetings at which no Member or Alternate is present, the Secretariat Secretary shall write a letter of concern to the Member/s, with

copies to the Alternate, the Chair and the Vice Chair. If this sequence of non-attended meetings reaches three, the Chair shall inform the next VN-CCM meeting of this development, and shall invite the VN-CCM to decide on a course of action.

## **27. Procedure for permanent/ad hoc committee or working group meetings**

- 27.1. Decisions in any working group, committee, or team meeting shall be made by a simple majority vote. The quorum for each working group, committee, or team meeting is 50 per cent plus one (50% + 1) of the members. Each working group, committee or team shall provide regular reports on its activities to the VN-CCM with facilitation support from the VN-CCM Secretariat.
- 27.2. The Sub-CCMs and the OC should provide periodic reports to the VN-CCM with facilitation support from the VN-CCM Secretariat.
- 27.3. Each ad hoc team decides how it will operate, and after completing its assignment submits a report to the VN-CCM (and if necessary or as requested, at periodic intervals prior to completion of the assignment) with facilitation support from the VN-CCM Secretariat.

## **28. Minutes of permanent/ad hoc committee/working group meetings**

- 28.1. Draft minutes of formal meetings and any decisions made must be prepared and disseminated to all members within one (1) week after each meeting. Draft minutes are to be discussed, and if necessary amended, and confirmed at the next meeting. Draft minutes of meetings will remain confidential to the public, but will be available to VN-CCM members. This includes VN-CCM members sharing the content of the VN-CCM meetings, and the draft minutes with their respective constituency members.
- 28.2. Confirmed/final minutes of formal meetings shall, if requested by the VN-CCM or the VN-CCM Chair, be distributed to all VN-CCM Members and Alternates by the Secretariat within one (1) week after these minutes have been confirmed. The final minutes will be shared with the GF Secretariat, and will also be posted on VN-CCM website, when it is available.

- 28.3. All minutes of VN-CCM working group/committee/team meetings shall be filed by the VN-CCM Secretariat.
- 28.4. The minutes of meetings of the Sub-CCM and the oversight committee (OC) will be submitted to the VN-CCM, stored at the VN-CCM Secretariat office, and shared with the GF Secretariat.
- 28.5. The VN-CCM can invite advisers, experts and observers to VN-CCM meetings. These people shall have the right to speak or participate in discussions, but cannot take part in a vote. Invitation of observers will be organized by the VN-CCM Secretariat.

## **Transparency and Information Exchange**

### **29.Provision of Information to CCM Member Organizations**

The VN-CCM Secretariat shall provide the following to the VN-CCM Members and Alternates, who shall, in turn, make these documents available to other organizations within their Sectors, if necessary:

- 29.1. The VN-CCM Governance Manual. This shall be provided promptly to all new VN-CCM Members and Alternates.
- 29.2. Notice of each VN-CCM meeting, the meeting agenda, and copies of relevant documents.
- 29.3. Draft and confirmed minutes of each VN-CCM meeting.
- 29.4. Confirmed minutes of VN-CCM Sub-CCMS and committee meetings.
- 29.5. All relevant important documents from the Global Fund, including VN-CCM Guidelines, Guidelines for Proposals, Calls for Proposals, and Grant Score Cards regarding Viet Nam grants.
- 29.6. All formal correspondence from the Global Fund to the VN-CCM, and vice versa, i.e. the comments of the Technical Review Panel on proposals submitted by VN-CCM, grant agreement, letters communicating likely or actual decisions and conditions regarding original grant approvals and any renewals, and responses to progress reports and disbursement requests that have been submitted to the GF. Exceptions shall be made for embargoed documents, which will be defined by VN-CCM on a case-by-case basis.

- 29.7. All important documents related to the preparation of proposals to the Global Fund, including outlines and drafts of the Global Fund proposal, and the final Global Fund proposal.
- 29.8. All important documents relating to the implementation of programs funded through Global Fund grants, including quarterly or other periodic reports prepared by the PR and Management Letters (ML) from the Global Fund Secretariat.
- 29.9. Copies of any information materials about the VN-CCM prepared by the VN-CCM Secretariat for external distribution.
- 29.10. A list of all VN-CCM Members and Alternates, with their names and contact details.
- 29.11. A website detailing CCM structure, membership, activities, and governance protocols should be established when funds for the development and maintenance of such a site are available.

### **Capacity Building**

To ensure that the objectives of programs of AIDS, TB, Malaria and VUSTA supported by Global Fund grants be achieved, the VN-CCM will take actions to build the capacity of the VN-CCM (VN-CCM Chair, Vice Chair, VN-CCM Members and Sub-CCM), PRs and SRs, in order to improve the quality of work and ensure that all resources are used effectively and efficiently.

These capacity building activities may take the form of workshops, retreats, roundtable discussions, seminars or technical assistance. Periodically, the Chair, Vice Chair and VN-CCM Members may also participate in Global Fund meetings or workshops outside Viet Nam that are intended to increase the capacity of VN-CCM systems, the institutional capacity of the VN-CCM and/or the individual capacities of the Members who represent the VN-CCM on such occasions.

The focus of capacity building activities will be determined according to need, based on the supervision of the PRs and SRs, requests from PRs, SRs or the VN-CCM, or to anticipate or respond to certain situations and issues.



### **30. Capacity building of the VN-CCM, Sub-CCMs and the VN-CCM Secretariat**

- 30.1. One of the responsibilities of the VN-CCM to be included in its annual budgeted work plan is the training of existing and new VN-CCM Members and other key stakeholders including the VN-CCM Secretariat and the Sub-CCMs. All Members, Alternates, key stakeholders and staff should be trained in the contents of this Governance Manual and in their responsibilities for grant oversight. Such training should include:
- i. The definition and scope of VN-CCM oversight;
  - ii. The respective oversight roles and responsibilities of the VN-CCM, PR(s), sub-recipients, the LFA and other stakeholders and the lines of communication between them; and
  - iii. Oversight tools, mechanisms and good practices.
- 30.2. Any new Members joining the VN-CCM should receive this training prior to participating in VN-CCM activities.
- 30.3. The VN-CCM Secretariat should be trained and strengthened so they can play an effective role in oversight. Among other things, they should be able to ensure that key information is collected and disseminated to all stakeholders in a timely manner and in a form that is easily managed and understood.

### **31. VN-CCM Operational Funding**

The Global Fund advises that CCMs need to be seen as neutral and that to avoid perceptions of undue influence by financial supporters, the burden of support for the CCM should be spread among several partners—the Global Fund, development partners, government and local initiatives. At its Fifteenth Meeting in April 2007, the Global Fund Board recognized that CCMs needed easier access to funding in order to support effective administrative functioning for the lifetime of any grant. Requests may be submitted once a year at any time convenient for the CCM.<sup>2</sup>

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<sup>2</sup>Country Coordinating Mechanisms Secretariat Funding, The Global Fund Implementing Series, November

The VN-CCM Secretariat shall formulate an annual work plan, which shall include a budget for the following:

- i. Personnel costs for Secretariat staff
- ii. Costs for VN-CCM meetings, oversight and related activities, including meetings of the Sub-CCMs, organize field oversight visits and carry out Conflict of Interest functions, Ad Hoc Teams; advocacy; and publications. These costs shall include travel expenses for VN-CCM Members attending VN-CCM meetings.
- iii. Constituency consultation and participation.
- iv. Capacity building for VN-CCM, the PR(s) and SRs.
- v. Monitoring and evaluation.
- vi. Operational costs, including rental of office space, electricity, communications, and stationery.

### **32. Harmonization and coordination**

32.1. The VN-CCM shall promote harmonization, linkages and consistency to support the National Strategies on HIV, TB, Malaria and VUSTA, including harmonization of the Global Fund and other funds' activities in Viet Nam and:

- i. National development strategies;
- ii. Sectorial programs in Viet Nam, particularly for health, HIV, TB and malaria;
- iii. Viet Nam's efforts to build the harmonization, coordination and effectiveness of external assistance;
- iv. National systems for monitoring and evaluation, financial management and procurement;
- v. National sectorial and multi-sectorial coordination frameworks.
- vi. Viet Nam's overseas development assistance (ODA)

32.2. The VN-CCM shall delegate certain roles and responsibilities including harmonization and coordination, as follows:

- i. HIV (delegated to the National HIV Program and the HIV PR)
- ii. TB (delegated to the National TB Program and the TB PR)

- iii. Malaria (delegated to the National Malaria Program and the Malaria PR)

These roles and responsibilities cover the development of proposals that will be considered by the VN-CCM with possible amendments if necessary.

**SECTION III**  
**DETAILED VN-CCM ROLES AND RESPONSIBILITY FOR**  
**GLOBAL FUND**

**A. OVERVIEW**

In regards to Global Fund grants, the VN-CCM has the responsibility

- i. To respond promptly and adequately to enquiries from the Global Fund concerning the VN-CCM.
- ii. To ensure that the PR and SRs use efficient, transparent and accountable mechanisms to disburse GFATM funds from the PR to SRs or implementing organisations.
- iii. With the assistance of the three Sub-CCMs, the VN-CCM OC, and additional technical assistance when required, to monitor and evaluate the performance of the PRs with regard to grant implementation.
- iv. To delegate to the PR the responsibility for monitoring and evaluating the performance of SRs, with additional verification and evaluation when unsatisfactory performance or problems in implementation are indicated.
- v. With the assistance of the three Sub-CCMs, the VN-CCM OC, and additional technical assistance as required, to oversight the grant implementation, including assess progress reports from the PR and regular field visits, and other activities as deemed necessary.
- vi. With the assistance of the three Sub-CCMs, the VN-CCM OC, and additional technical assistance as required, to review the implementation of the Global Fund grant activities for the first nine quarters of implementation and, if financial and program performance are satisfactory, to request continued funding from Global Fund for each approved grant, prior to the end of the three years of initially approved funding.

- vii. To fulfil the other responsibilities as outlined in this Governance Manual.

To ensure that these roles and responsibilities of the VN-CCM are properly fulfilled, a Secretariat of the VN-CCM has been established and a Secretary appointed, whose roles are to support and facilitate the roles and functions of the VN-CCM.

The VN-CCM Secretariat shall ensure that the following documentation is prepared by the appropriate parties and shared with CCM members on a timely basis:

- i. All reports that the grant agreement requires the PRs to provide.
- ii. Responses to any queries from The Global Fund Technical Review Panel.
- iii. Responses to any queries from the Global Fund Secretariat.

## **B. VN-CCM AREAS OF WORK WITH REGARDS TO THE GLOBAL FUND**

### **33. Development of Global Fund Proposals/Expressions of Interest/Concept Notes**

The VN-CCM shall establish a formal, transparent, accountable and documented process for the development of proposals/Expressions of Interest/Concept Notes (hereafter collectively referred to as “Proposals” to The Global Fund. For each such Proposal, this process shall be as follows:

- 33.1. As soon as it is known that the Global Fund is likely to issue a new for continuation of single stream of funding (SSF), each Sub-CCM shall be asked to discuss and decide whether it wishes to submit a Proposal to the Global Fund and if so, each Sub-CCM shall be asked to ensure that any such Proposal note meets the requirements of the Global Fund and is consistent with national priorities and programs on HIV, tuberculosis, and malaria.
- 33.2. The Chair of the relevant Sub-CCM shall be asked to make a presentation to the VN-CCM on the recommended Proposal note outline. The call for Proposal (or Expression of Interest or Concept Note) shall be developed by the Sub-CCM.

- 33.3. The VN-CCM shall determine whether it wishes to support, modify, or reject a Sub-CCM's suggestions regarding the focus of the Proposal.
- 33.4. If the VN-CCM agrees to support the Proposal, the Sub-CCM for each disease shall be asked to set up and supervise a proposal-writing team consisting of people who are capable of developing a Proposal within the agreed focus area. This team shall comprise certain Members of the Sub-CCM as well as non-Sub-CCM and non-VN-CCM elements, such as technical assistance (TA) consultants.
- 33.5. The VN-CCM shall ensure that members of the public throughout Viet Nam, and particularly through civil society organizations, are made aware through the Sub-CCMs, the Sub-CCM working groups and all other useful communication channels, in sufficient detail and in a timely manner, of the focus of the planned Proposal, and are given an opportunity to become actively involved in the design and development of the proposal.
- 33.6. The VN-CCM shall also ensure that all VN-CCM Member Organizations as well as other interested stakeholders are given an opportunity to read and comment on drafts of the Proposal.
- 33.7. Following the selection of the Principal Recipient (see process, below), the Proposal will be finalized by a team comprising members of the Sub-CCM, the VN-CCM, the Proposal-writing teams and the PR.
- 33.8. The draft of the Proposal shall be submitted to the VN-CCM for technical review.
- 33.9. If agreed by the VN-CCM, the final Proposal shall then be signed by all the Members of the VN-CCM and submitted by the VN-CCM to The Global Fund. A VN-CCM member has the right to sign, or to decline to sign, the Proposals submitted by the VN-CCM to Global Fund. Should a CCM Member decline to sign, the reasons for declining should be clearly articulated at the meeting and recorded in the minutes.
- 33.10. If there is more than one disease component Proposals to be submitted under any further funding opportunities, the VN-CCM Secretariat will take the overall responsibility to coordinate the efforts of the writing teams.

33.11. The VN-CCM Secretariat shall provide public access to the full text of the Proposal that is finally submitted to the Global Fund.

### **Nomination of the Principal Recipients (PRs)**

#### **34. Process for Selection of the Principal Recipient (PR) for GFATM proposals**

34.1. Selection of PR VN-CCM shall follow the Global Fund Requirements, which are as follows:

- i. Process: As per a 2005 Board decision, CCMs are required to put in place and maintain a transparent, documented process to selection the PRs and oversee program implementation. The Global Fund Secretariat encourages CCMs to make open calls for Letter of Intent (LOI) from potential PRs.
- ii. One or several PRs: The country may choose to nominate more than one PR to be responsible for distinct parts of the proposal (either for different disease components or within a single component), such as having one PR for public sector activities and a different non-governmental sector PR for civil society and the private sector. Dual-track PRs (public sector and civil sector) are encouraged. If dual-track PR is not possible, the VN-CCM should document the reasons that dual track PR may not be selected and submit to the GF.
- iii. If there is more than one PR, explanations should be made by VN-CCM on how coordination will be achieved between the multiple PRs.
- iv. PR must be a legally-constituted entity that can enter into a grant agreement with the GF. This could be a governmental institution, NGO or faith-based organization, a private sector firm or foundation, an incorporated network of people living with and/or affected by the disease(s), or other incorporated body.

34.2. The process for selection of PR(s) is as the follows:

- i. VN-CCM Executive Working Group to suggest single or dual PR option and present it to the VN-CCM.
- ii. PR nomination criteria drafted by the EWG and sent to VN-CCM members for comments and revision.

- iii. VN-CCM meeting defines and approves the process, PR option and PR nomination criteria, based on which, the Executive Working Group of VN-CCM will develop a scoring scheme based on the CCM approved criteria.
  - iv. Invitation for LOI and selection criteria circulated widely by the VN-CCM Secretariat to the Government, donor, INGO, NGO, CBO, private and UN sectors and by the CCM members to their respective networks and constituencies.
  - v. LOI received by Secretariat of VN-CCM, from interested organizations. The LOI (or its package) may include an executive summary of the justification on why that organization feels it is capable, noting strength and weaknesses against the set criteria, and with a self-assessment based on the PR Assessment Tool.
  - vi. The Secretariat of VN-CCM forward the LOI received to temporary Executive Working Group members for review.
  - vii. The Executive Working Group reviews the LOI and prepares consolidated recommendations of potential PRs in order of preference, based on the assessment of the LOI according to the criteria in point 6 below. The recommendations will be circulated to all VN-CCM Members, who may ask for complete LOI of interested applications from VN-CCM Secretariat for detailed review.
  - viii. Executive Working Group presentation at VN-CCM Meeting of the summary of the comments and recommendations of all applicants. VN-CCM members discuss and decide on the nomination of the PR(s) taking into account the recommendations of the Executive Working Group, or decide to re-launch the PR selection process, if none of the applicants are deemed suitable.
- 34.3. Invitation of relevant experts may be considered, if necessary, to assist the VN-CCM Executive Working Group to undertake the above steps as agreed by the members of the VN-CCM Executive Working Group. No person who currently serves in or represents a potential PR shall be present in the VN-



CCM Executive Working Group deliberations concerning the PR(s) selection.

- 34.4. The VN-CCM Secretariat shall ensure that all VN-CCM members and alternates, and other interested stakeholders within Viet Nam, are aware that selection are being invited for consideration as PR and shall make the nomination criteria readily available prior to the application deadline
- 34.5. In addition to those contained in the Global Fund PR Assessment Report and PR Background Analysis tools, the following criteria for PR selection are proposed:
- i. Sector and legal-capacity in Viet Nam to enter into grant agreements with the Global Fund
  - ii. Financial management capacity and track record in managing large-scale grants in a transparent and accountable manner, and according to international accounting standards.
  - iii. Proven ability in channelling and managing funds for supporting and monitoring a community-based response.
  - iv. Proven ability in mobilizing human resources and expertise relevant to the program framework.
  - v. Proven ability and willingness to operate fund flow and disbursement arrangements in a complex situation on a nationwide scale.
  - vi. Proven ability to cooperate with government and/or nongovernment entities in program planning, design, implementation, and M&E.
  - vii. Ability and willingness to work with the VN-CCM, and its Technical and Strategy Groups and designated bodies for work planning and budgeting.
  - viii. Proven successful local and international procurement capacity in Viet Nam or similar contexts
  - ix. Track record of acting successfully as PR for the Global Fund in other countries will be an advantage.
- 34.6. If the grant in question is approved, the GF will conduct an assessment of the organization(s) that the VN-CCM has nominated to serve as PR(s). If the organization does not pass that assessment, the GF will work with the VN-

CCM to nominate a different PR from the previous list of applicants, in accordance with the CCM's ranking.

### **35.Pre-identification of Sub-Recipients (SRs)**

35.1. The pre-identification of SRs is the responsibility of the VN-CCM, in consultation with PRs. The role of the VN-CCM is oversight to ensure that proper procedures are followed, including meeting the following eligibility criteria:

- i. Applicants must demonstrate pre-qualified capacity in the proposed activities.
- ii. The proposed activities must be in line with the national strategic plan(s).
- iii. Preference will be given to activities taking into account and integrating well with existing services and programs. Community involvement in program planning and implementation, partnership approaches, reaching those currently not accessing services and strategies to reach the poor and most vulnerable are prioritized.
- iv. If procurement is included, such procurement must comply with Global Fund rules. For the purposes of the Concept Note, applicants must demonstrate a reasonable understanding of how to comply with quality assurance mechanisms included within Global Fund guidelines and regulations for procurement and supply management.
- v. Successful applicants will be required to provide evidence of their authorization to work in Viet Nam (for example Memorandum of Understanding and/or registration)
- vi. Activities must be carried out in geographical areas defined in their authorization to work in Viet Nam.
- vii. Applicants are encouraged to apply for funding to expand activities into new areas in order to scale-up the response and strengthen existing interventions, while noting that approval will have to be subsequently obtained from the authorities through standard procedures (for example by amending MOUs).

35.2. The pre-identification procedure shall be as follows:

- i. The VN-CCM issues a public call for proposals from government or non-government organizations that wish to be pre-identified as Sub-Recipients.
- ii. The VN-CCM requests the 3 Sub-CCMs to establish Sub-Recipient Pre-Identification Teams and processes.
- iii. The 3 Sub-CCM Sub-Recipient Pre-Identification Team review proposals based on eligibility criteria, a capacity assessment and announced VN-CCM priorities
- iv. The Sub-CCM Sub-Recipient Pre-Identification Teams report their recommendations to the Sub-CCMs and the Sub-CCM Chairs then report recommendations to the VN-CCM.
- v. The VN-CCM makes decisions based on the recommendations from the Sub-CCM Sub-Recipient Pre-Identification Teams and pre-identified SRs are then included in the Global Fund proposal development process.
- vi. Following Global Fund approval of the proposal and PR, LFA checking of SR capacities, selected SRs sign a Sub Grant Agreement with the PR.

### **36. Program Implementation**

36.1. For each VN-CCM-initiated project in Viet Nam financed by the Global Fund, the VN-CCM needs to clarify with the PR concerning their respective roles in the supervision, monitoring and evaluation, oversight of the project.

36.2. The VN-CCM shall receive and review copies of progress updates and disbursement requests written by the PR for the Global Fund.

### **C. GLOBAL FUND GUIDELINES FOR CCM OVERSIGHT**

Oversight requires the CCM to understand how the grants are working, follow progress and challenges, and make recommendations to the PR on improving performance. Oversight is one type of monitoring, focused on governance at the macro level. The CCM is responsible for monitoring grant implementation at the macro level, but does not need to immerse itself in the micro details, which is the responsibility of PR.

Since oversight focuses on the macro level, the CCM should address the following overarching questions:

- Finance. Where is the money? Is it arriving on time? Is it being distributed properly and promptly? Who is benefiting? Audits will be conducted in line with grant agreements and recommended actions to be taken by PRs and SRs will be tracked and followed up.
- Procurement. Are the drugs, bed nets, laboratory supplies, etc. going where they need to go? Are implementers getting them on time? Is the distribution system safe and secure? Are patients receiving them?
- Implementation. Are activities on schedule? Are the right people getting the services they need?
- Results. Are targets being met?
- Reporting. Are reports being submitted accurately, completely and on time?
- Technical Assistance. Where are the grant implementation bottlenecks; for example procurement, human resources, etc? What technical assistance is needed to build capacity and resolve problems? What is the outcome of technical assistance?
- Harmonization and alignment. In the case of proposal development, are the proposed activities harmonized with other donor programmes? Is the proposal aligned with GVN and GF requirements, regulations and guidelines?

Oversight ensures that monitoring is being done, that results are being reported, and the program is meeting its targets. Oversight responsibilities require that the CCM will look at long-term grant performance while leaving the PR to be the day to day implementer. At the same time, an oversight role entails much more than overseeing the work of a particular PR.

Areas of oversight include:

- Proposal development
- Grant negotiation
- Grant implementation

- Preparing the request for continued funding at Phase 2
- Preparation of a revised proposal for continuation funding at the invitation of the Global Fund
- Donor coordination and alignment with health systems

Oversight is a critical element ensuring accountability of grant implementation. Best practice models of oversight are characterized by the following elements:

- CCM leadership and dynamic civil society participation with well-structured governance and oversight processes
- Good communication and reporting between CCM and other actors
- A CCM supported by a strong Secretariat of the VN-CCM and technical sub-committees

Effective PR supervision over sub-recipient grant implementation.

### **37.VN-CCM Arrangements for Global Fund Grant Oversight**

37.1. While the Local Fund Agent verifies and evaluates grant performance and use of funds for GFATM, the Viet Nam Country Coordinating Mechanism provides oversight of grant implementation and progress in the national interest.

37.2. The VN-CCM provides oversight on grant implementation through the CCM Oversight Committee and the three Sub-CCMs, one each for HIV, TB and malaria.

### **38.Oversight functions of the VN-CCM**

38.1. The oversight functions of the VN-CCM include:

- i. Updating and revising the VN-CCM Governance Manual to reflect up-to-date principles and agreements of the VN-CCM
- ii. Hold regular quarterly meetings to review PR(s) progress, disbursement requests and updates on meeting any existing Condition Precedent.
- iii. Review of quarterly reports on financial status, management and programmatic aspects (to be carried out with support from the sub-CCMs), prior to CCM meetings

- iv. Recommendations of the CCM OC will be submitted to and endorsed by the CCM at its regular meetings
  - v. Establish information sharing mechanisms for PR-CCM (monthly) and LFA-CCM (quarterly)
  - vi. Conduct training for VN-CCM members on oversight functions
  - vii. Conduct oversight visits to project sites (see point (e) below)
  - viii. Monitor the implementation of policy on preventing Conflict of Interest by ensuring that all CCM members formally declare any potential or actual instances of conflict of interest.
- 38.2. The VN-CCM oversight responsibilities shall include reviewing and making recommendations to the VN-CCM on reports received from the PR and Sub-CCMs as follows:
- i. The VN-CCM has a quarterly cycle of monitoring and the VN-CCM receives a quarterly update on grants. The PRs, SRs, and SSRs are required to comply with VN-CCM oversight. The VN-CCM quarterly monitoring will be based upon reports received from the PR, and reviewed by the VN-CCM and the 3 SUB-CCMSs, and additional technical assistance as required by the VN-CCM. The requested reports will cover the following:
    - a. Verify program outputs against targets and inputs.
    - b. Verify and validate reports from PR and SR.
    - c. Verify the internal M&E processes of PR and SR.
    - d. Oversee the processes for requests for and disbursements for funds to SRs.
  - ii. Indicators used will be consistent with the agreement between the PR, the VN-CCM, the Global Fund, and with existing national monitoring and evaluation systems. Data for monitoring and evaluation shall be collected from, among other sources:
    - a. The quarterly reports and work plans of PRs
    - b. The quarterly financial reports and disbursement requests from the PR and SRs
    - c. The annual reports, annual work plans and disbursement requests that are reviewed by the VN-CCM

- d. The findings from the quarterly report assessments and field visits by the LFA. The VN-CCM shall request these findings from The Global Fund.
- e. Regular site visits to SRs (at least once a year). The TORs and checklists for Site Visits are included in the VN-CCM Oversight TOR and Plan document.

### **39. Preparing the Semi-Annual Progress Reports (by PR) oversight tools of Oversight Committee.**

PRs and SRs will be reporting to the GFATM through the LFA on the Semi-annual Milestones using the Programmatic and Financial Progress Report template. The activities and achievements in these semi-annual progress reports will ideally support the successful completion of these milestones. The following steps must be followed when preparing these semi-annual reports:

- i. The PRs and SRs will start by completing the Planned Activities section before sending the (partially completed) report templates to SSRs.
- ii. Prior to the first quarterly report deadline, PRs, SRs and SSRs will also attend a Technical Reporting Workshop.
- iii. SRs and where they exist, SSRs, will be responsible for completing the remaining sections of the report, including Activities Achieved, Cumulative Activities, and Deviation (in quantitative format) as well as a small narrative section (Explanation of Deviations, Notable Achievements during Reporting Period, Unexpected Obstacles during Reporting Period, and Actions to Overcome Obstacles).
- iv. These technical reports are due on the same schedule as the financial reports (15 days after the close of the reporting period). Both hard and soft copies must be submitted by SRs to the PR/s and by SSRs to the SR.
- v. After final verification and aggregation of the technical information included in the last two Quarterly Progress Reports received from SSRs and SRs, PRs and SRs shall consolidate on a semi-annual basis the Programmatic and Financial Progress report. If PRs and SRs are grant implementers, related technical and financial information should also be included in these

consolidated reports. After final consolidation, PRs will send them to the LFA and copy to the Oversight Committee of VN-CCM (no later than 45 days after end of the reporting period).

## **D. CONFLICT OF INTEREST WITH REGARDS TO GLOBAL FUND GRANTS**

The Conflict of Interest function is to prevent, monitor and address any violations committed by VN-CCM Members, including the Chair, Vice Chair, PR/s and SRs, with regard to the VN-CCM Conflict of Interest policy in the implementation of Global Fund grants in Viet Nam, to ensure fairness and transparency in VN-CCM decision making and to protect its integrity, reputation and interests, and in turn to ensure broad public trust and confidence in VN-CCM decision making and grant implementation activities.

The Conflict of Interest function will be carried out through adoption of the VN-CCM Conflict of Interest policy and safeguards including completion of the Declaration of Conflict of Interest by all VN-CCM Members. The VN-CCM as part of its oversight responsibility will monitor the implementation of the Conflict of Interest policy and safeguards.

### **40. General Principles**

- 40.1. The GFATM was established to attract/collect, manage and disburse additional resources through a public/private partnership to contribute to the reduction of infections, illness and death caused by HIV/AIDS, TB and malaria in countries in need. The GFATM recognizes that many stakeholders must be involved, including the recipient countries and donor countries, non-profit institutions and profit-oriented institutions, and the international community.
- 40.2. Due to the diversity of interests and perspectives of these various stakeholders, it is important that the VN-CCM operates in a balanced, ethical, collaborative and open manner. This policy provides guidance in identifying and addressing conflicts of interest. It is based on clear definitions of



potential areas of concern and a duty to disclose, and outlines procedures for managing these conflicts as they arise.

- 40.3. The purpose of this policy is to (1) ensure fairness in VN-CCM decision making to protect its integrity, reputation and interests, and (ii) to ensure broad public trust and confidence in the VN-CCM decision making and grant oversight activities. Where the provisions of this policy conflict with the laws or regulations applicable to a matter covered in this policy, such provisions shall not apply. Wherever possible, however, this policy shall be interpreted to be consistent with the prevailing laws and regulations in Viet Nam.
- 40.4. The VN-CCM recognizes that the representative nature of the VN-CCM and the diversity of the elements therein give rise to inherent conflicts when the Chair/Vice Chair or elements within the VN-CCM must consider matters that have a direct impact on the interests of the Government of Viet Nam or organizations that hold governing positions in the VN-CCM.

#### **41. Definitions of Conflict of Interest within the CCM Context**

- 41.1. Conflict of interest (COI) occurs when a member of the VN-CCM, CCM Oversight Committee, Sub-CCMs or CCM Secretariat uses his or her position to advance personal ambitions or interests, the interests of an institution with which he or she is affiliated, those of a family member, or close associate, or in a way that disadvantages or excludes others, or compromises the performance of CCM functions and overall effectiveness or program implementation.
- i. A close associate of a person includes a family member or relatives (spouse/partner, child, sibling, parent, cousin, and in-law), friend, business partner, or professional associate.
  - ii. A person is affiliated with an institution when he or she is an employee or volunteer, or has a financial interest or a technical or governance role with that institution.
- 41.2. COI can be potential conflicts of interest and perceived conflicts of interest.

- i. A potential conflict of interest occurs when a member of the VN-CCM, members of the VN-CCM Oversight Committee, or the CCM Secretariat is placed in a position in which they have the capacity to use their position or status in such a way that a conflict of interest, as defined above may occur.
  - ii. A perceived conflict of interest occurs when a person believes or suspects that a conflict of interest, as defined above, exists on the part of a member of Viet Nam CCM and/or Sub-CCMs, individuals on the Oversight Committee or in CCM Secretariat.
- 41.3. Conflicts of interest can occur in these situations but are not limited to the following:
- i. Selection of principal recipients and sub-recipients
  - ii. Renewal requests for a forthcoming phase of a grant
  - iii. A substantial reprogramming or grant funds
  - iv. Issues relating to assessment, monitoring and oversight of principal recipients and sub-recipients Discussions of matter for which CCM members or their institutions have a financial interest, such as contracting, recruitment of staff, etc.
- 41.4. COI may also arise in association with gifts, which is defined as including favours/concessions, gratuities, or sponsorships whether of monetary or intangible nature including travel to meetings, conferences and field visits.

## **42.Application of the Viet Nam CCM COI Policy**

- 42.1. Conflict of Interest Policy is operational when the CCM:
- i. Recognize the existence of COI whether actual, potential or perceived
  - ii. React to COI situations collectively in an objective, transparent and systematic manner
  - iii. Record/document the actions taken by CCM to address/resolve COI
  - iv. Relay/communicate among CCM members and other stakeholders the findings and actions taken to address/resolve COI

- 42.2. This COI policy applies to Viet Nam CCM Members, Alternates and Secretariat staff, Sub-CCM members and members of Oversight Committee created by CCM.
- 42.3. The VN-CCM shall ensure that on taking the membership seat, the members of the CCM undergo training on their responsibilities regarding conflicts of interest and the requirements of this policy at least once a year.
- 42.4. The VN-CCM should consider the consequences of conflicts of interest on its composition when considering membership renewal.

### **43. Structure for COI Policy Implementation**

- 43.1. The Secretariat and the Oversight Committee appoint 01 representative to supervise the implementation of the conflict of interest policy at every meeting of CCM or in all CCM activities with potential conflict of interests.

### **44. Protocol to Manage and Mitigate Conflict of Interest**

- 44.1. Statutory Declaration. All Viet Nam CCM members, alternates, Sub-CCM members, CCM OC members, Secretariat staff and all members of working groups shall complete an Acceptance of COI Policy & Declaration of Interest Statement at the time of being seated on the CCM and disclose any actual or perceived conflict of interest at that time. The statement will be completed on an annual basis thereafter and updated as needed, whenever a material change occurs in the information. Statements shall be archived by the Secretariat and made available for inspection by the COI Working Group. These statements shall form part of the public record of the CCM
- 44.2. Role of Chair and Vice-Chair of VN-CCM. The CCM shall make every effort to ensure that:
  - i. Neither its chairperson nor its vice-chairperson is from an organization that serves as a principal recipient for a VN-CCM-initiated project financed by the Global Fund. In the event that this is the case, or that the CCM chairperson or vice-chairperson represent organizations that are candidates for selection as a principal recipient, or a sub-recipient, then section 3 and section 4, below, shall apply and they will have to

follow the procedure applicable to any member of the CCM as outlined in E3 and E4.

- ii. The Chairperson and Vice-Chairperson do not represent the same organization.
- iii. Where a person from an institution which is a principal recipient or sub-recipient holds the position of Chair or Vice-Chair of the CCM, that person must not participate during CCM meetings, voting or otherwise seek to influence deliberations, recommendations, or decisions where a matter concerns:
  - a. The CCM's monitoring and oversight of the PR;
  - b. The selection of any PRs or SRs;
  - c. Reprogramming of grant funds;
  - d. Other decisions that have a financial or other significant impact on a PR or SR.

The same also applies to all CCM members.

#### 44.3. Notice of Agenda Items, Declaration of Potential or Perceived Conflict of Interest

- i. Each member of the VN-CCM will receive an agenda of the meetings at least one week in advance. Members of the CCM must decide whether a potential conflict of interest exists and prepare to recuse themselves from CCM discussions. These members must disclose the nature of such interests to the chairperson of CCM, with copy to the Chairperson of COI Working Group. The member must recuse himself or herself from any and all deliberations and voting on the conflict of interest topic as outlined in Section 4, Recusal.
- ii. VN-CCM members or alternates must declare whether a conflict of interest exists at the beginning of the CCM meeting, at the time when all agenda items are read or reviewed.
- iii. Any member of the VN-CCM may raise the question of a potential conflict of interest prior to or during a meeting. Members may present an allegation of conflict of interest to the chairperson or other CCM

body charged with responsibility for conflict of interest, who must investigate each question raised

#### 44.4. Recusal

- i. Recusal may occur when a person/s removes themselves from participation in deliberations and decision making when a conflict of interest would arise through their involvement.
- ii. At the moment in the meeting when the relevant agenda item is to be discussed for which there exists a conflict of interest for a CCM member or alternate shall refrain from engaging in decision making and may recuse themselves, leave the room, and wait elsewhere, subject to the request of COI WG member or the chair. VN-CCM members and alternates having a conflict of interest shall not vote on the issue at hand and shall not be present in the meeting room when the vote is taken. Once the discussion and any necessary votes or decision making have been completed, the CCM member or alternate shall be recalled into the meeting room.
- iii. VN-CCM members and alternates having a conflict of interest may be called into the meeting room in their capacity as a representative of their organization to provide needed information to the CCM membership. Once they have finished providing this information, they will again leave the room until recalled.
- iv. Whether in the meeting room or outside, the VN-CCM members and alternates shall not attempt to exert their personal influence with respect to the discussion topic.
- v. If the chairperson has a conflict of interest, he or she must delegate meeting responsibilities to a vice-chairperson for the period of the deliberation and recuse him or herself. If a vice-chairperson also has a conflict of interest, the vice-chair shall also recuse him or herself and the CCM must elect an acting chairperson for the period of deliberation and thoroughly document the process that was followed.

## **45. Gifts and Favours**

- 45.1. Viet Nam CCM members are prohibited from accepting gifts under circumstances in which it could reasonably be construed that the gift is motivated by the position as a CCM member or alternate, or member of Oversight Committee and could substantially affect decisions of the CCM.
- 45.2. VN-CCM members and alternates are prohibited from giving gifts if it could be reasonably construed that the gift is intended to affect the policies or practices of the CCM, a principal recipient, or any of the programs it funds.
- 45.3. VN-CCM members and alternates who represent governments, corporations, or organizations and who are subject to code of ethics or standards of conduct as a result of their position, may accept complimentary invitations to widely attended gatherings otherwise prohibited by this policy where such attendance is permitted under the code of ethics or standards of conduct to which the individual is subject.

## **46. Suspected Conflict of Interest**

- 46.1. If a suspected conflict of interest is reported by any party, the COI WG will review the matter immediately to determine whether the CCM member or alternate has failed to declare an interest and if the breach is his or her responsibility. The issue must be reported to all CCM members. Any substantive issues must be brought to the entire CCM to decide.
- 46.2. If the matter is brought before the VN-CCM for deliberation, the member or alternate shall be requested to withdraw while the matter is being deliberated.
- 46.3. Any CCM member or alternate can bring allegations of conflict to the CCM, and such allegations must be discussed.

## **47. Failure to Disclose an Interest**

- 47.1. If the Viet Nam CCM learns that a CCM member or alternate has wittingly failed to disclose an interest, the CCM shall take all reasonable measures to revoke any benefit gained. Before taking such action, the CCM shall inform the member or alternate in writing of the conflict of interest issue and

provide the member or alternate with the opportunity to explain the alleged failure to disclose.

- 47.2. The CCM Chairperson shall refer all available information in relation to the conflict of interest to the VN-CCM and COI WG charged with conflict of interest matters which shall make a determination on whether a conflict of interest exists. If a conflict of interest does not exist, the COI Working Group shall make a recommendation to the full CCM regarding appropriate action to be taken with respect to the person who has failed to declare the conflict of interest.
- 47.3. The full CCM shall consider and vote on the recommendation of the COI Working Group at the first meeting following receipt of the determination and recommendation.
- 47.4. Following the CCM's vote on the recommendation, the circumstances and CCM member or alternate shall be reported to the member's constituency. The constituency shall be requested to immediately replace the member or alternate who serves on the CCM.
- 47.5. The CCM shall report all instances of conflict of interest situations that are in apparent violation of any operative laws to the appropriate official government body responsible for enforcement.

#### **48.Documentation of Conflict of Interest**

All decisions associated with conflict of interest will be recorded/documented and archived by the CCM Secretariat and reported in the minutes of the meeting. The record will state:

- i. The nature and extent of the conflict
- ii. A summary of the discussion
- iii. The actions taken to manage the conflict

#### **49.Periodic Review of COI Policy**

The COI policy shall be reviewed on a periodic basis at least consistent with the CCM's review of other governance documents or earlier as needed.

## **Roles and Responsibilities of other Global Fund-related Players**

The Global Fund advises that effective communication between LFAs, PRs, and CCMs is central to the accountability and effectiveness of Global Fund grants. The other Global Fund related players referred to below have the following roles and responsibilities:

### **50. Global Fund**

The Global Fund for AIDS, tuberculosis and malaria (also known as “the Global Fund”, “GFATM” or “GF”)

- i. Serves as a financial instrument, not an implementing agency.
- ii. Attracts, manages and disburses money through a public-private partnership in a way that will make a sustainable and significant contribution to the reduction of infections, illness and death from HIV, TB and malaria.
- iii. Signs grant agreements with PR.
- iv. Approves and makes disbursements to PR.
- v. The Global Fund may provide important information to the VN-CCM regarding various issues related to the implementation of Global Fund grants, directly from Global Fund Secretariat or through LFA, at the request of the VN-CCM.

### **51. Local Fund Agent (LFA)**

The Global Fund engages LFAs to verify data and report on grant performance. This gives the Global Fund access to local knowledge that is relevant to grant performance.

- i. Serves as Global Fund’s ‘eyes and ears’ in Viet Nam, after being selected by Global Fund and signing a contract with Global Fund.
- ii. On behalf of Global Fund, evaluates the financial management and administrative capacity and performance of PR/s, as well as the performance of SRs if requested by the Global Fund.



- iii. Does not make managerial decisions. Instead, sends reports to The Global Fund which may contain recommendations regarding decisions that may need to be made by Global
- iv. Fund, such as whether to approve a further disbursement regarding a particular grant, or whether the requested disbursement is for an appropriate amount.
- v. The LFA and the VN-CCM, through the VN-CCM Secretariat, shall exchange urgently needed information without interfering with or diminishing the independence of either party.
- vi. The LFA shall be invited to VN-CCM meetings.

## **52.Principal Recipient (PR)**

The Principal Recipient(s) shall serve as the principal recipient, implementer and party responsible for the grant in accordance with the national VN-CCM proposal that has been approved by The Global Fund. The PRs are selected and confirmed by the VN-CCM with the following conditions:

- i. PRs are chosen afresh for each new Global Fund grant.
  - a. For each grant, VN-CCM can, if necessary, request in the original proposal that more than one entity shall serve as PR. Selection of dual-track ( selected from both government and non-government sectors) PRs is desirable wherever possible.
  - b. It is very rare for PR to change once a particular grant has started. Such an action would require the agreement of both the VN-CCM and The Global Fund, and would also require the termination of an existing contract between The Global Fund and the PR.
- ii. The PR is required by The Global Fund to have a defined level of competence and capacity in four areas:
  - a. Financial management and systems
  - b. Institutional and programmatic (organisational and program management)
  - c. Procurement and supply management

- d. Monitoring and evaluation
- iii. The PR signs a Grant Agreement with the Global Fund on behalf of the VN-CCM. This agreement specifies actions to be taken, costs to be incurred, and results to be achieved.
- iv. The PR is responsible to the Global Fund for the implementation of the grant.
- v. In the case where dual-track financing is proposed by the VN-CCM, the two PRs will work closely. The coordination between PRs will be facilitated through a PR Coordination Committee, which is comprised by the Director of each PR and as well as key technical staff of each PR (M&E, procurement, operations etc.). This team will meet on a regular basis with ad-hoc meetings as needed. Representatives of the VN-CCM will be invited to such coordination team meetings when needed. These coordination team meetings aim to share information, harmonize training activities, plan monitoring missions (joint monitoring where feasible) and deal with common issues to ensure prevent smooth and timely implementation of the Global Fund programmes. The Directors of each PR shall work closely with the Sub-CCM and the committees and working groups of the VN-CCM and will attend VN-CCM meetings.
- vi. In accordance with the reporting schedule agreed between the PR and the Global Fund, the PR submits regular program and financial progress reports (including Disbursement Requests) to the Global Fund, through the LFA, after being reviewed and endorsed by the VN-CCM.
- vii. The PR submits to the VN-CCM the full text of the quarterly report assessments by the LFA and any other special reports related to the results of audits by the LFA and the auditor.

### **Legal status of the PR**

1. The PR has the authority to select and to replace/terminate the Sub-Recipient/s. This legal right does not mean that the VN-CCM has no role in this process, but it is intended that the final decision regarding this matter

rests with PR. The VN-CCM may recommend sub-recipients as program implementers after they have been assessed by a VN-CCM team. Moreover, in many instances a sub-recipient that is nominated will be more suitable as a program implementer because it has participated since the development of the proposal. The PR nevertheless has sole responsibility to the Global Fund for the performance of the program, such that if the sub-recipient does not demonstrate satisfactory performance or if it deviates from the contract with the PR once program implementation has begun, the PR has the right and the obligation to take immediate action to resolve the problem, including if necessary by replacing the sub-recipient.

2. The PR/s and SRs can be Members of VN-CCM, but will not have voting right. If this is the case, the VN-CCM must have a written plan to mitigate conflicts of interest. This plan must also address inherent conflicts of interest that arise if the VN-CCM has to make a decision on matters relating to the role of the PR and SR in the implementation of the program; for example, the PR and SR shall not be allowed to participate in matters related to the oversight of program funding, particularly administrative funding for the PR/s or SRs, or in decisions recommending changes in the participation of the PR/s or SRs.
3. There are three categories of changes that deviate from the original proposal and require reprogramming:
  - i. Minor changes (<5% of budget of an SDA or Cost Category) made by consensus between PR and SR, with VN-CCM Informed.
  - ii. Medium changes (5-20% of budget of an SDA or Cost Category) made by amending the grant agreement between the PR and the Global Fund Secretariat. This can be done at the initiative of the VN-CCM, or by the PR after consulting with the VN-CCM, after which the PR shall propose, with VN-CCM endorsement, to the Global Fund Secretariat, to reprogram the funds, ensuring that such reprogramming does not conflict with the goals of the proposal before approval was given for the amendment.

iii. Major changes require discussion at the VN-CCM and then further discussion and assessment by the Global Fund Technical Review Panel. The Global Fund Secretariat shall ask the Technical Review Panel to ensure that such a major change is in line with the technical standards specified in the original proposal, and the Technical Review Panel and the Global Fund Secretariat will also seek the VN-CCM's assurance that such major change is consistent with current epidemiology and national responses to diseases.

### **Sub-Recipient (SR)**

1. Is an organization or entity that signs a contract or MOU with a PR specifying that it will implement certain grant activities and will receive an amount of the Global Fund grant funding (including the case when an SR is regulated by Additional Safeguard Policy and funds are delivered using a zero-cash modality), and is required to provide reports regarding these activities.
2. One or more organizations may become Sub Recipients through responding to a VN-CCM call for Expressions of Interest and meeting specific criteria to become involved in development of a proposal to a Global Fund round.
3. In addition, one or more organizations may be proposed by VN-CCM to the PR as candidates for Sub-Recipients.
4. An SR may outsource some of the activities stipulated in their contract/MOU with the PR to other approved implementing organizations; however, the legal responsibility for all and any consequences is borne by the SR.

### **Additional Safeguards Policy**

The Global Fund uses a range of tools to manage risk. The Additional Safeguard Policy is part of this risk-management strategy, which can be invoked in full or in part, based on the contextual factors of each country where a particular grant or group of grants is being implemented. The Additional Safeguard Policy should be invoked to ensure accountable use of Global Fund financing. Once invoked,

additional safeguards should be applied to the grant as protection against the identified risks. Examples of additional safeguards that may be applied to ensure the necessary transparency, fiduciary accountability, and reporting are listed below (this list is illustrative only – the type of safeguards should be tailored to the specific the context):

- i. Global Fund selection of the Principal Recipient (PR): The nomination of the Principal Recipient is made directly by the Secretariat, in consultation with CCM and other development partners. PRs could include multilaterals, bilateral, NGOs, or other suitable entities.
- ii. Additional features of the Principal Recipient Assessment: The PR Assessment, in addition to normal assessments of the PR according to the PR Assessment Guidelines, may also feature special emphasis on the transparency and accountability of the flow of funds to sub-recipients, and in certain cases, contractors, and sub-contractors. This could include a review of the nature, type, and past experiences of sub-recipients, contractors, and sub-contractors proposed. A more in-depth review may be warranted if financial management risks are identified, a measure that may be considered is the imposition of a financial management intermediary or disbursement of funds on a reimbursable basis based on actual expenditures.
- iii. Sub-recipient Assessments: LFAs conduct full assessments of some or all sub-recipients, including assessments of their financial management systems, institutional and programmatic structures, procurement systems, and, where appropriate, their monitoring and evaluation structures. Selection of Sub-recipients is subject to Global Fund approval based on the Global Fund’s assessment of risk. Approval may be conditioned on tighter flow of funds arrangements (e.g. Sub-recipients may not receive grant funding in advance, in that, disbursement is made on a reimbursement basis only against submission of appropriate invoices and other supporting documentation – the “zero cash” policy).

- iv. Quarterly Reporting/Disbursements and Monitoring: As with other grants, disbursement of funds will be made based on achieving performance indicators. The frequency of the disbursements will depend on the risks identified, but as a general rule the timing for the disbursement schedule should be no less frequent than a quarterly basis – any exception to this general rule must be approved by the Country Programs Cluster Director. Commensurate with the quarterly reporting schedule, LFAs will be contracted to conduct enhanced on-site monitoring and program verification in addition to the scope and frequency of monitoring conducted in non-ASP grants, with particular focus on sub-recipients.
- v. Procurement: Procurement arrangements must be tailored to address any perceived risks diversion. Measures may include disbursement of funds on a reimbursable basis based on actual expenditures, or arrangement for direct payment to contractors/vendors, or the imposition of a procurement management arrangement (including the selection of a procurement agent or manufacturer).
- vi. Minimization of Exchange Rate Distortions: In circumstances of major distortions between the official exchange rate and the market rate, the Global Fund will work with other development partners, and/or establish alternative mechanisms for judicious management of grant funds in order to be able to utilize acceptable currency exchange rate baskets to remove any distortions. The LFA may be instructed to engage in more frequent site visits and accounting reviews.
- vii. Access Assurance: Free and unfettered access to program sites is required for all Global Fund grants.