



## **TERMS OF REFERENCE FOR EASTERN EUROPE AND CENTRAL ASIA CONSTITUENCY GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA**

These terms of reference are drafted in compliance with and following the provisions of the Global Fund Board Operating Procedures, the Guidelines on Constituency Processes adopted by the Board.

### **I. Constituency Membership**

Constituency is an open group of countries, which expressed their wish to be included in the group, who have either currently or previously been recipients of the GFATM grants. At present the Group is made up of 22 countries (the countries are listed in the Annex). Inclusion of new members in the Group which may submit their requests will be subject to prior confirmation of their agreement with the Terms of Reference for the Constituency as well as other formal arrangements of the Group if necessary. There can also be small reference groups within the Constituency representing various sectors and acting as consultative bodies on important issues. Each country holds one vote in deciding upon Global Fund issues. Decisions within the Constituency shall be made by consensus or in case no consensus is reached - by voting. Each country shall be represented by two delegates from two sectors: Government sector representative and NGO representative.

Mandate of the EECA Constituency members is 3 years with possibility of extension and decision on mandate extension should be made by CCM. Constituency should be able to advise CCM to recall the member if he/she does not meet the requirements. Working languages of the EECA Constituency are Russian and English.

### **II. Goals and Objectives of the Group**

Objectives of the Group include information exchange, coordination, elaborating common position on Global Fund and Board activities and organizational issues regarding the Board's operation.

### **III. Constituency Leadership. Representation of the Group. Terms of Board Membership.**

The Constituency is represented in the Board by the Board Member. In case the Board Member cannot represent the Group due to some reasons, the Alternate Board Member shall take this responsibility. In the absence of the Board Member the Alternate has the same rights and responsibilities as the Board Member. The Alternate Member may participate in debates and/or cast votes, when acting as a substitute for the Board Member, on behalf of and upon the latter's request.

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To ensure more effective interaction within the Group and development of common position the Board Member IS OBLIGED organize consultations on key issues. To ensure up to date information sharing and enable **informed decision making** and coordination the Board Member should regularly inform the EECA Group members on upcoming activities and events, in where the EECA Group representatives should participate.

EECA Group members are delegated by their respective Country Coordinating Mechanism and therefore they are authorized for decision making. If additional consultations are required the delegates can discuss it within the CCM and inform the EECA Group on the final decision. Countries with without CCM Programmes can be represented by the implementers of those Programmes who are non-CCM members". In that case, mandate to those delegates is given by the implementer.

Decisions made by the delegates are binding for work with other Global Fund Board Members and Secretariat. The form of Consultation is a good addition to existing forms assisting the development of common position.

#### **IV. Basic requirements to selection of a Board Member (Alternate)**

Key to effective Constituency representation is an actively engaged Board Member, hence the following selection criteria should be applied:

1. Deep knowledge of the issues around HIV/AIDS, Tuberculosis and Malaria, international public health and/or development.
2. Deep understanding of the scope of work of the Global Fund and its mission.
3. Ability to devote adequate time to the Global Fund processes.
4. Confirmed access to adequate staff support for the analysis, networking and consultations required to be an effective constituency representative. Access to the necessary communication infrastructure to ensure effective performance, e.g. telephone, mobile phone, fax, email.
5. Ability to work in written and spoken English (additional languages a great advantage).
6. Experience of working in governing bodies, teamwork, leadership skills in multicultural environment.
7. Ability to act as an ambassador and represent common cause at high level.
8. A facilitative and consultative approach, diplomatic, strategic and analytical skills.

#### **V. Selecting the Board Member and Alternate**

A Board Member and Alternate are selected within the Constituency by consensus. Representatives of the member states are encouraged to make every effort to resolve any conflict of interests situations in an amicable way.

In case there is only one State which applied to the Global Fund Board membership or to the Alternate by the agreed deadline, this State should seek through the official channels endorsement by the group on non-objection basis.

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In case two or more States applied for the position of the Board Member (see Country Board Member) or Alternate Member (see Country Alternate), the issue should be resolved through negotiations and seeking satisfactory agreement.

The Group shall take relevant decision at least two months prior to the end of office term of the current Board member. To ensure early agreement the Member States are encouraged to express their interest in the membership in the Board not later than 6 months before the current member's end of office term in form of an official letter of interest approved by Country Coordinating Mechanism addressed to the acting Board member.

Any Member State of the Constituency may hold a seat in the Global Fund Board or be an Alternate Member. The Alternate shall come from a state other than the one represented by the Board Member. The States, representing the Group as the Board Member and the Alternate Member, are selected by all Member States of the Group. The choice of nominated individual is the decision by the countries selected.

The Alternate Board Member is selected for 2 years period. After 2 years of alternating mandate, Alternate Board Member becomes Board Member for 2 years mandate. New Alternate Board Member will be selected following described procedure. EECA Constituency keeps the right to reconfirm the selection of new Board Member before the transition from Alternative to the Board Member in position. In the process of choosing Alternate Board Member, the advantage will be given to the candidates coming from the countries that did not have Board seat previously. This decision is effective as of EECA meeting in Sarajevo, Bosnia and Herzegovina, September 7th, 2012.

The current Board Member shall inform the Global Fund Secretariat about the designation of the succeeding Member and Alternate Member.

## **ROLE OF THE BOARD MEMBER**

### **VI. Focal Point. Interaction within the Constituency**

The Focal Point (FP) is a person designated by the Board Member and comes from the same country as the Board Member. The Focal Point must have access to a reliable communications infrastructure. Interaction within the Constituency shall be accomplished through virtual network of national focal points.

National Focal Points are delegates, members of the EECA Constituency who are acting in this role for in-country information sharing purpose.

Each Constituency country-member shall recognize its responsibility for the decisions made by the Constituency and keep in touch with the Board Member, Alternate and Focal Point.

FP shall develop an extensive network of contacts, including designated national focal points, within the Constituency. Each country joining the Constituency shall designate its national focal point and provide its contact details to ensure better circulation of messages by the Global Fund Board and Secretariat within the Constituency.

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FP shall be the catalyst and the repository of the Constituency opinions and positions on Global Fund matters.

The Focal Point shall take appropriate measures to ensure the Group is informed on the preparations for and the outcome of the Board Meeting: circulate Board Reports, organize briefings, and circulate documents of the forthcoming Board Meeting among Member States.

## **VII. Composition of the Constituency Delegation to the Board Meetings**

The size of delegation according to the Board Operating Procedures shall be not more than 10 participants. The delegation should accommodate a maximum possible number of representatives of those Member States who expressed their interest to participate in a particular Board meeting.

Participation in the Group delegation to the Board meetings should follow the Guidelines on the Conflict of Interest Policy adopted by the Board, i.e. Country-members shall not use their participation in the delegation for promoting support to the project proposals submitted by their country.

The Board Member, the Alternate and the Focal Point, shall be members of the delegation.

The Focal Point shall inform the Member States about the forthcoming Board meeting no later than 1.5 month before the event. Any member-country shall communicate to the Board Member on its interest to participate in the delegation not later than one month prior to the forthcoming Board Meeting.

In case there are more than ten nominations the following selection criteria will be used: relevant personal and professional experience, timeliness of country's nominating a delegation member, contribution to the work of the delegation at the previous meetings, etc.

At the beginning of each year the EECA Constituency will discuss all upcoming events and meetings in which its delegation will participate and agree upon the composition of its delegations. The Board Member, Alternate and Focal point should be part of each delegation in order to enable continuity and up to date information sharing and understanding. Other delegation members will be chosen from other countries in an open and transparent manner (discussion or e-mail correspondence) enabling the wide representation of the countries in the delegation, as well as the fair selection and rotation of the representatives within a delegation

The decision on the composition of the delegation shall be taken one month prior to the date of the forthcoming Board meeting. The Focal Point will inform Member States about the final decision in this regard within 3 days.

In case there are still vacant seats left after the agreed deadline for nominations the interested countries may agree on nominating their additional national representatives to the delegation.

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When a delegate nominated a member of delegation due to any reasons is not able to attend the Board meeting, he/she should notify Focal Point thereof. In such case other interested country representative will be included in the delegation instead of such delegate.

No more than 5 persons from the delegation shall be on the floor at any one time, unless the Board decides otherwise. The Board Member, the Alternate and the Focal Point, shall normally be on the floor during the Board Meetings. The choice of 2 other persons to be on the floor, is made by the Board Member in flexible manner taking into account their competence and experience in the problems under the consideration. At the request of the Board Member any member of the delegation from those members not on the floor shall participate in the consideration of an appropriate agenda item, replacing one of the delegation members on the floor. The Board Member shall assure the rotation of members of the delegation in the main Board Meeting room, in order to avoid cases when any representative has no access at all to the floor during the entire Board Meeting.

The Board Member, after consultations with the members of the Group, will nominate/replace representatives of the Group to the Board Committees, in which the Group has seats

The representatives of States included into the delegation must attend the meetings and effectively contribute to the work of the delegation.

Notification of the composition of a delegation to the Board and Committee Meetings, exchange of information with the Secretariat on all the issues regarding the Board Meeting shall be made through the Focal Point.

### **VIII. Development of Constituency Positions**

The Member States will try to establish a common position on agenda issues before the Board and Committees meetings. If this proves to be difficult at least the Board Member and Alternate will be made aware of the differences that exist within the Group and could present them adequately.

Constituency can use the following means to assist in the development of constituency positions prior to the Board and Committee Meetings:

- requesting various members of the Group to prepare position papers or opinions on important issues for circulation and discussion amongst the Member States of the Group;
  - e-mail and conference call to exchange views;
  - side meetings at which Global Fund issues can be discussed during regional/international meetings where a broad representation from the Group is available;
  - holding consultations of the Group delegation on the Board agenda issues the day before the Board meeting, as well as during breaks and at the end of each day during the meeting, in case of necessity.
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In case an important decision for the Group should be taken within the Board during its meeting, including voting, the Board member will consult all other members of the delegation, including those in the video transmission room, before expressing the common position or voting.

## **IX. Amendments**

This document is subject to amendments by the Constituency Members, if those amendments had been discussed by the Constituency. Amendments can be made every four years only.

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## **Annex: Eastern Europe and Central Asia Constituency Countries**

1. Azerbaijan
2. Albania
3. Armenia
4. Belarus
5. Bulgaria
6. Bosnia and Herzegovina
7. Georgia
8. Kazakhstan
9. Kosovo\*<sup>i</sup>
10. Kyrgyzstan
11. Macedonia
12. Moldova
13. Poland
14. Russian Federation
15. Romania
16. Serbia
17. Tajikistan
18. Turkmenistan
19. Uzbekistan
20. Ukraine
21. Montenegro
22. Estonia

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<sup>i</sup> *This designation is without prejudice to positions on status and is in line with UNSCR 1244 and ICJ Advisory opinion on the Kosovo declaration of independence.*

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