

Latin America and Caribbean Constituency

Modalities for Selection and Appointment of Latin America and the Caribbean (LAC) Representatives to the Global Fund Governance Structures

Purpose

1. The purpose of these Terms of Reference is to lay out the modalities for the functioning of the Latin America and Caribbean (LAC) Constituency for the purposes of the governance of the Global Fund to Fight AIDS, Tuberculosis and Malaria through its Board and its committees.
2. These selection procedures are designed to ensure that LAC Constituency representation to the Global Fund is appropriately mandated and accountable to the constituent members throughout their term(s) in office.
3. The LAC region faces common challenges in fighting the three diseases. For practical and coordination purposes, the constituency will function on a day-to-day basis based on its two constituent sub-regions: Latin America and the Caribbean. In representing the region on the Global Fund Board, the Board Member and Alternate and all other representatives must represent the common position of the region, irrespective of the region or country of origin.
4. Representation for the region will rotate every two years between the Latin America and the Caribbean sub-regions. Therefore when the Caribbean region holds the Board Member seat, Latin America will hold the Alternate Board Member seat and vice versa.
5. The key competencies and responsibilities of all actors in Global Governance, including from the LAC region, are included in annex to these TORs and are taken from the Global Fund Board's "Operating Procedures for the Board and Committees"¹.

Criteria to Serve as Board Member and Alternate Board Member

6. Representatives to the Global Fund Board should be persons serving in an official capacity in a ministry of a member country of the region LAC. This will usually be from the ministry of health or finance or international affairs.
7. Members of regional organizations are also eligible to serve as representatives to the Global Fund Board, provided their appointment is recognized and approved by the member countries and/or entities according to their internally recognized modalities.
8. There may arise situations where an "eminent personality" and/or expert from the region may best serve the region's interests at the Global Fund Board. He or she would be eligible to stand as a nominee provided the nomination is put forward by at least one ministry of health from either sub-region.

1 "Operating Procedures for the Board and Committees" are available at: <http://www.theglobalfund.org/en/board/?lang=en>. The document may be amended from time to time by the Board.

Nominations Process for Board Member and Alternate Member

9. Call for nominations for a new Board Member and Alternate Board member will be issued through the sitting Board Member and Alternate **at least 3 months before the end of their existing term which concludes October 31st in odd years².**

10. The call for nominations must be distributed by the sitting Board Member and Alternate Board Member to Ministries of Health. For information sharing purposes and transparency, the call for nominations should also be distributed to Country Coordinating Mechanisms and civil society networks. The requirements of the Board and Member and Alternate Member roles are specified in the "Board and Committee Operating Procedures" (Annex 1)

11. Each sub-region will establish its own short-listing process. Nominations must: a. Be submitted through an official letter of support signed by a competent representative of a Ministry of Health, usually a Minister or his/her delegate; b. Be accompanied by the curriculum vitae and statement of interests/motivation of the candidate; and c. Include reference to the Ministry's support for such a role, including logistical and administrative support during the duration of the term in office.

12. For members of regional organizations, nominations will have to be endorsed and approved by the member countries and/or entities according to their own modalities. Nomination should also be accompanied by a curriculum vitae and an official letter of support signed by the Director General of the organization or equivalent including same requirements as per paragraph 11.

13. For eminent personalities or experts, nomination should be endorsed by at least one relevant Ministry including same requirements as per paragraph 11.

Selection Process for Board Member and Alternate Member

14. For the Latin America sub-region, the existing representative will manage the selection process directly or by delegating to the Constituency Communications Focal Point or other entity as appropriate, to support administrative aspects of the process.

15. For the Caribbean sub-region, the voting process will be coordinated by the Pan Caribbean Partnership Against HIV/AIDS (PANCAP). The final nominee will be endorsed by Council of Human and Social Development under the Caribbean Community (CARICOM).

16. Voting for each sub-regional representative will be on a no-objection basis if there is only one candidate. Where more than one candidate may be presented, an affirmative vote will be convened per sub-region. The candidate with the majority of votes will become the Board/Alternate member. In the case of a tie, the vote is to be recast applying the same requirements and processes as in the case of the first vote. 17. The selected nominees shall be communicated to the Constituency at the annual PAHO Directing Council Meeting side event.

Replacing a Board Member and Alternate before the end of the terms

18. The same institution/country should appoint a new person if the current representative leaves the institution that originally nominated him/her. Should this not be possible when replacing the Board Member, the sitting Alternate Board Member would step in until the end of the term.

2 This timeline is exceptionally accelerated in 2013 to allow timely nomination and election of Board Member and Alternate Board member. Thereafter, the timelines specified in these Terms of Reference will enter into force.

Nomination of Global Fund Committee Members from the Constituency

19. The Global Fund Board has standing committees and establishes ad-hoc committees from time to time. Members on these committees are nominated by each Constituency and appointed by Global Fund Board through a voting process. The sitting Board and Alternate Member will solicit nominees and propose candidates in a similar process as for Board Member and Alternate Board Member. Practically, this means the opportunity for a committee seat representing the region should be widely communicated to Ministries of Health, CCMs and civil society networks.

20. In all cases, the Board Member and Alternate Board Member will decide jointly whether the nominated person fulfils the requirements of the role as specified in the “Board and Committee Operating Procedures” (Annex 3) and put forward one or more candidates on this basis.

Selection of the LAC Delegation to the Global Fund Board

21. The primary role of the delegation accompanying the Board Member and Alternate Board Member to the Global Fund Board meeting is to advise the LAC representatives on decisions and deliberations of the Board. The Delegation members are also responsible to report back to their respective CCM/Ministry on the decisions and deliberations of the Board.

22. Additionally, the LAC Delegation to the Board will serve as a resource to the constituency that can be drawn upon for future Board or committee membership.

Call for applications and Selection of delegates

23. The Global Fund Board allows ten representatives, including the Board Member and Alternate Board Member, from each region to attend Board meetings.

24. Each sub-regional Communication Focal Point will launch a call to all member countries in their respective sub-regions for delegation members of the LAC Constituency.

25. Delegation membership will be by country/regional organization/Regional CCCM. Appointment of Delegation members will be done on a no-objection basis and the term of the delegation will be two years from the time of selection. If a delegation member leaves, the country/institution can nominate someone else to replace the remaining term length for the country.

26. As much as possible, the two sub-regions should prepare the selection process of their delegates together and coordinate their efforts in selecting candidates who will cover the greatest number of competencies required for the Board Meetings.

27. The LAC delegation will be composed of 10 members:

- i) One Board Member (or his/her representative on an exceptional basis)
- ii) One Alternate (or his/her representative on an exceptional basis)
- iii) Two Constituency Communication Focal Point (Latin America and Caribbean)
- iv) Three Latin America/regional organization representatives **at least one coming from civil society/communities**

v) Three Caribbean/regional organization representatives **at least one coming from civil society/communities**

28. The Global Fund provides some financial support for travel to Board meetings. However, there may be occasions where delegation members must identify funding support for such travel.

Modalities for Selection of the Communications Focal Point

29. Communication and access to reliable and timely information are an essential aspect for the effective functioning of the LAC Constituency. Communication at the constituency level will also enable positions to be formulated and participation in decision-making processes at the Board and Committee levels. In addition, communication flows are important to ensure information flows back and forth between the Board Member, Alternate Board Member, LAC Constituency members, CCMs, the Global Fund Secretariat and other stakeholders.

30. In order to facilitate the large number of countries in the region, the Constituency will function with two constituency communication focal points, one assigned to facilitate this task within the Caribbean region and one for the Latin America sub-region. Focal Points should be bilingual (English and Spanish) or have access to language support services to facilitate their mutual work.

Working languages

31. The operating language within the Global Fund is English. However, communication in the LAC Constituency shall be in English, Spanish and French as facilitated by Constituency Communication Focal Points.

Selection of the Communication Focal Points

32. The Communication Focal Points (CFP) will be appointed by the sitting Board Member and Alternate Board Member. To the extent possible, the CFP should be based in the same country and office as the Board Member or Alternate Board member. Where the Board member or Alternate Board member is from the Caribbean sub-region, the constituency focal point functions will be facilitated by the PANCAP Secretariat. The requirements of the Communication Focal Points roles are specified in the "Board and Committee Operating Procedures" (Annex 2).

33. In addition, each country should appoint a Global Fund Country Focal Point (government department /ministry or CCM) who shall be the counterpart for the Constituency Focal Point where common positions or communications need to be communicated at the country level from the Board. It will be the responsibility of the communication focal point to create and maintain country focal points.

Constituency Communications

34. Board and Alternate Members are responsible for communicating with the governments, institutions and organizations they represent. The CFPs facilitate all aspects of this communication to ensure effective information flows between the Board Member and Alternate Member, the constituency they represent, including the committee members, and the Global Fund. The constituency should endeavor to meet at least once every two years to review its functioning, set its priorities and address general order of business.

These Terms of Reference will enter into force based on endorsement by the Ministers of Health of the Latin America and Caribbean region.