

Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

TERMS OF REFERENCE
Of the
Lao People's Democratic Republic
Country Coordinating Mechanism
Global Fund
To Fight HIV/AIDS, Tuberculosis and Malaria

3rd Revision

By
Country Coordinating Mechanism

2015

Table of Contents

1. CCM Status.....	1
2. CCM Vision and Mission	1
3. General Principles of CCM Operations.....	1
4. Role of the CCM.....	1
5. CCM membership.....	2
6. Conflict of Interest.....	3
7. Rights of CCM Members	3
8. Responsibilities of the CCM Members	4
9. Term of Office of CCM Members.....	4
10. Elections/Delegation of CCM Members	4
11. Alternate Members of the CCM	4
12. Abdication and Exclusion from the CCM.....	4
13. Organizational Structure.....	5
14. Chair and Vice Chair(s) of the CCM.....	6
15. Executive Committee	6
16. Resource Mobilization Committee.....	7
17. Oversight Committee.....	7
18. Task Forces.....	8
19. Ad hoc Committees/Commissions	8
20. CCM Meetings	8
21. CCM Secretariat	9
22. CCM Documentation.....	9
23. Validity of the TOR.....	10

General Provisions

1. CCM Status

- 1.1 The CCM to Fight HIV/AIDS, TB and Malaria in Lao PDR (hereinafter referred to as "CCM") was established in compliance with the requirements of the Global Fund to Fight AIDS, Tuberculosis and Malaria (hereinafter referred to as Global Fund) and based on the Notice of the Planning and Cooperation Committee, Ref. No. 154/PCC, dated 28 January 2003.
- 1.2 The CCM has the status of a national advisory body and represents a multispectral partnership of legal and natural entities, created on a voluntary basis.
- 1.3 In its activities and functions, the CCM is guided by the national legislation of Lao PDR and by the current regulations and recommendations of Global Fund

2. CCM Vision and Mission

- 2.1 The CCM vision is to expand the reach, equity and effectiveness of health services for populations affected by HIV/AIDS, tuberculosis and/or malaria.
- 2.2 The overall CCM mission is to contribute to the strengthening of measures to fight the spread of HIV/AIDS, tuberculosis and malaria in Lao PDR.
- 2.3 The CCM is divided in three main sectors (government, non-government, and international) and recognizes many kinds of subsectors—including the government, the private sector, academia, NGOs, donors, civil society, affected communities and other subsectors—that must be engaged in optimizing the delivery of care and services. These subsectors have individual missions that contribute to the overall CCM mission and each subsector has prepared, and is guided by, Terms of Reference (TOR) which clarify their organization, roles and responsibilities and selection procedures. The TORs are filed at the CCM Secretariat

3. General Principles of CCM Operations

- 3.1 The CCM adheres to the principles of broad participation of all stakeholders, overall transparency, joint partnership and effective activities. The CCM ensures that its activities and operations are based on the principles of good governance, including the following:
 - National ownership and commitment to country-led and driven programs with inclusive and meaningful participation of multiple stakeholders with respect to the central role of the government in coordinating the country response to the three diseases;
 - Management of conflicts of interest (COI) that ensures CCM credibility, unbiased deliberations, and the legitimacy of decision making;
 - Equality among members with full rights to participation, expression and involvement in decision making;
 - Full transparency and accountability in deliberations, decision making, and operations of the CCM and its secretariat.

4. Role of the CCM

- 4.1 The CCM's role is to bring together multiple stakeholders representing the diversity of the Lao people to collectively identify country needs in the fight against HIV, tuberculosis and malaria, to apply strategic planning, design programming, submit requests for funding, oversee and support the implementation of projects initiated by the CCM and funded by the Global Fund, and enhance cooperation and coordination among in-country stakeholders.

- 4.2 In fulfilling its role, the CCM must satisfy the Global Fund requirements for eligibility and functionality as outlined in the CCM requirements and standards and has the following collective responsibilities:
- 4.2.1 Make decisions through consultation and deliberation and following-up on decisions agreed upon at CCM meetings;
- 4.2.2 Coordinate the development and submission of funding applications/concept papers to the Global Fund based on national strategies for the three diseases, ensuring a country-owned, coordinated, and multi-sectorial approach that involves all relevant stakeholders; and documenting the engagement of key population groups in the development process;
- 4.2.3 Submit to the Global Fund applications for continued funding for each approved grant after reviewing the PR's and SRs' performance at appropriate times;
- 4.2.4 Respond to inquiries from the Global Fund concerning these funding requests;
- 4.2.5 Identify an organization(s) most capable of meeting planned targets for a country program(s) and nominating/selecting it(them) as a principal recipient (PR), following a transparent and inclusive process;
- 4.2.6 Oversee Global Fund activities in Lao PDR by receiving and reviewing progress reports and programmatic performance of the PR(s) and SR(s)
- 4.2.7 Support the harmonization and alignment of Global Fund grants with national development instruments;
- 4.2.8 Review and endorse the allocation of funds to the CCM secretariat based on prior yearly work plans and budgets submitted to the Global Fund;
- 4.2.9 Review the annual external financial audit of Global Fund activities and overseeing the implementation of findings and recommendations.
- 4.2.10 Regularly updating and reporting to the Secretariat for Sector Working Groups (SWGs) for Health and/or the SWG Operational Level/SWG (O);
- 4.2.11 Ensuring effective participation by some of the most relevant SWGs established by the government for the implementation of the 2006 Vientiane Declaration on Aid Effectiveness. The SWGs will convene representatives from the government, donor agencies, and NGOs and serve as the primary platform for in-depth dialogue on key development issues as well as report relevant information during round table implementation meetings.
- 4.2.12 Adhering to these TORs and modifying them as necessary.

5. CCM membership

- 5.1 CCM Membership representation
- 5.1.1 A CCM member can come from any organization lawfully operating in the territory of Lao PDR, irrespective of citizenship as long as he/she has been selected or elected by his/her constituency in a transparent and documented process.
- 5.1.2 CCM members act on behalf of stakeholder constituencies (e.g. government, nongovernment, private sector, and people living with disease) and not on behalf of their own person or organization.
- 5.1.3 CCM membership is voluntary and involvement is not remunerated. The member's participation represents a voluntary contribution in fighting the three diseases.
- 5.2 CCM composition
- 5.2.1 The CCM is composed of 24 seats. The number of seats is defined and decided by the CCM and is subject to change.
- 5.2.2 Each seat has two representatives: a primary member (CCM member) and an alternate member (alternate).
- 5.2.3 CCM composition includes representation from 3 sectors: governmental and nongovernmental national sectors and development partners sector.

CCM sectors	Subsectors/constituencies and number of seats
Government	Government Ministries (6) Mass organizations (2)
Multi-lateral and bi-lateral organizations	Multi-lateral (1) Bi-lateral (4)
Non-governmental organizations	Private sector (1) Academia (1) INGO (2) NPA (3) PLWD/Peer educators (4)

- 5.2.4 Representatives on the CCM from the nongovernmental sector should comprise not less than 40 percent of the total number of CCM members.
- 5.2.5 CCM ensures that CCM representatives represent both rural and urban areas other than the capital, and reflect their interests.
- 5.2.6 The CCM will ensure the gender balance among CCM representatives and that the CCM includes numerous individuals with in-depth understanding of the gender dimensions inherent to the three diseases.
6. **Conflict of Interest**
- 6.1 The CCM of Lao PDR recognizes that the Global Fund is required to address COI, and that institutionalizing a COI policy and associated procedures is in the best interest of all stakeholders.
- 6.2 The CCM of Lao PDR is aware that, due to its composition, COI currently exists and will occur, hence it is necessary to mitigate and manage potential, perceived and actual conflicts of interest within the CCM
- 6.3 Each CCM member and alternate, CCM secretariat staff, committee members and the CCM as a whole will benefit from being aware of actual, potential, and perceived COI.
- 6.4 In the event that there is a COI, the CCM is guided by the following core principles:

7. Rights of CCM Members

CCM members are entitled to:

- 7.1 Elect officers: the chair and 2 vice-chair(s), to stand for such positions within the rules of this TOR;
- 7.2 Vote on any matter put to a vote, except those where the CCM member has a COI;
- 7.3 Participate in all discussions and activities of the CCM, except those where the CCM member has a COI;
- 7.4 Participate in the development of funding requests;
- 7.5 Provide oversight to grant implementation;
- 7.6 Participate in the selection of grant PRs;
- 7.7 Raise questions and issues for the CCM agenda;
- 7.8 Receive full information concerning grant implementation and secretariat management;

- 7.9 Receive timely advance notice and documentation for all CCM meetings and the results of those meetings.
- 7.10 When absent to be replaced by their alternate.

8. Responsibilities of the CCM Members

The CCM members should carry out the following duties:

- 8.1 Participate actively in CCM meetings in a timely and responsible manner or, if unable, send their alternate to participate;
- 8.2 Participate in CCM functions (see section 4.2);
- 8.3 Become familiarized with COI policy and procedure, complete the annual COI declaration (new members must complete the COI declaration upon admission into the CCM), and declare any COI to recuse themselves from deliberations and decision making;
- 8.4 Consult regularly with organizations and individuals within their constituency with an aim to fairly and accurately represent constituency views and concerns at CCM meetings;
- 8.5 Freely share with the CCM relevant experiences and information known to their constituency;
- 8.6 Provide feedback and inform their constituency of CCM decisions so that they may be applied and respected;
- 8.7 Join and participate actively in CCM-created working groups and committees;
- 8.8 Cooperate with the CCM secretariat;
- 8.9 Respect these TORs.

9. Term of Office of CCM Members

- 9.1 CCM members are elected/selected/delegated for a term of 3 (three) years with the possibility of re-election/re-selection.

10. Elections/Delegation of CCM Members

- 10.1 CCM subsector TORs establish procedures and regulate the process of election/ delegation of members in the CCM. Details may be found in the individual subsector TORs.

11. Alternate Members of the CCM

- 11.1 During election/selection/delegation of CCM members, the electing/selecting/delegating organization or sector must elect/select/delegate an alternate member of the CCM for each seat.
- 11.2 The alternate represents the same subsector or the same state organization as the CCM member and takes part in the operations of the CCM in the absence of the latter.
- 11.3 In the absence of the CCM member, the alternate has the same rights and duties, as the person whom s/he replaces.
- 11.4 Alternates of members elected to the posts of Chair and Vice-chair can continue to represent the interest of their sub-sectors; however they cannot substitute the Chair and vice-Chairs in the performance of their functions.

12. Abdication and Exclusion from the CCM

- 12.1 Any CCM member can leave the CCM structure at his/her own will or on the basis of a justifiable decision made by the organization or constituency which nominated him/her. For this purpose, s/he or the organization and/or the constituency which nominated him/her, will notify the Chair of the CCM (or Vice Chair) and the Secretariat, which will then inform CCM members. This will be followed by a call for

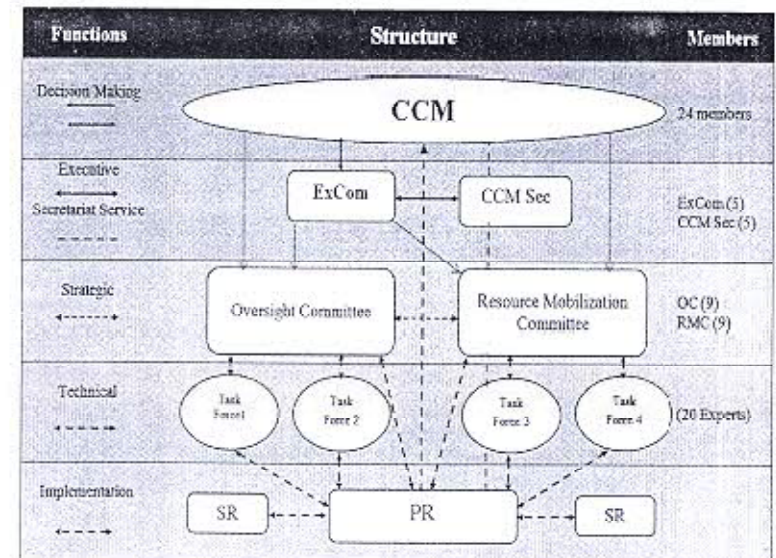
elections for a replacement member. In this case, the organization and/or constituency which have withdrawn its representative from the CCM may select a new candidate to be approved by the CCM. In the meantime, the alternate will replace the member.

- 12.2 The CCM has the right to dismiss any CCM representative from its membership. Legitimate grounds for the dismissal of a representative by the CCM include: failure to fulfill his/her duties, and the misuse of powers and responsibilities entrusted. In case the two representatives of a seat are absent for 2 consecutive CCM meetings, the CCM shall take appropriate measures to reach out to the related subsector to fill out the seat in accordance with the subsector TORs.
- 12.3 Decisions on changes of CCM membership will be recorded in CCM meetings minutes, which will subsequently be sent to the Global Fund Secretariat.

CCM Structure

13. Organizational Structure

- 13.1 The CCM structure consists of the Full CCM, three standing committees: the executive committee, the oversight committee, the resource mobilization committee and four task forces on: HIV/AIDS, tuberculosis, malaria, and Health Systems Strengthening.
- 13.2 The CCM is the only decision making body unless otherwise specified and voted by the CCM in a clear delegation of power to the standing committees that routinely have a consultative strategic role. The task forces are the advisory technical bodies to the standing committees.
- 13.3 The CCM has the right to create additional committees or change names and functions of existing ones.
- 13.4 In addition, as required, the CCM has the right to set up working groups or delegate the task to the executive committee that can engage experts who are selected from outside of the CCM (i.e. nonmembers).



14. Chair and Vice Chair(s) of the CCM

- 14.1 Lao PDR CCM has a chair and two vice chairs.
- 14.2 Representatives from both governmental and nongovernmental organizations can become chair and vice chair of the CCM. The CCM chair and at least one vice chair must represent different sectors. The Chair must be from a domestic organization.
- 14.3 CCM members nominate and elect the candidates for the posts of chair and vice chair(s) at the CCM meeting. During the nomination of candidates for the posts of chair and vice chair(s), CCM members should be guided by the Global Fund's recommendations and regulations included in the document on COI policy. The chair cannot be from the PR or SRs.
- 14.4 Candidates for the chair and vice chair are approved if they obtain a two-thirds majority of CCM members voting. One Vice-Chair should belong to a domestic organization, and the other should be from an international organization.
- 14.5 The vote for chair and vice chair(s) shall be by secret ballot.
- 14.6 The term of office for the chair and vice chair(s) is 3 years with 1 or 2 re-elections.
- 14.7 The CCM can vote to remove the chair or vice chair(s) in midterm. Any member can propose this vote with written approval from 10 CCM members. Such a vote requires a two-thirds majority.
- 14.8 If the Chair resigns or is removed in midterm, the vice-chair shall serve as acting chair until a new chair is elected. That election shall take place at the meeting at which the chair's departure is announced, or at the next meeting. The new chair shall be appointed to complete the term of the former chair and, can participate in the next planned election of the CCM chair.
- 14.9 If a vice-chair(s) resigns or is removed in midterm, an election shall take place at the meeting at which the vice-chair's departure is announced, or at the next meeting. The new vice-chair shall be appointed from the same subsector to complete the term of the former vice-chair and, can participate in the next planned election of the CCM vice chair.
- 14.10 Responsibilities of the CCM Chair are as follows:
During CCM meetings
- Conducting CCM meetings;
 - Signing CCM reports, minutes and decisions;
 - Seeking approval of the agenda of each CCM meeting;
 - Seeking for approval of the previous meeting minutes.
- As Chair of the Ex Com
- Strategic coordination of CCM committees, operations, supervision of the secretariat;
 - Carrying out overall control over the implementation of CCM decisions;
 - Proposing the agenda of CCM meetings
- 14.11 The CCM Chair bears responsibility for the activities that are carried out by the CCM and the Executive Committee, and also for inter-branch and inter-agency coordination as well as for the decisions made by the CCM. The Chair represents the CCM to the third parties and the organizations.
- 14.12 During the absence of the CCM Chair, his/her functions are fulfilled by the designated Vice Chair.

15. Executive Committee

- 15.1 The CCM has an Executive Committee that consists of the CCM Chair, two Vice Chair(s) and the chairs of the Oversight Committee and Resource Mobilization Committee, and the executive secretary with no voting right.

- 15.2 The Executive Committee is responsible for the coordination and direction of activities of the CCM secretariat, to support and coordinate the committees and task forces, and also for carrying out continuous and urgent communications for which it is not necessary to gather all members of the CCM.
- 15.3 The organization of the Executive Committee's operations is regulated by their ToRs.
- 15.4 The frequency of Executive Committee sessions of the CCM is defined by the Executive Committee itself taking into account the need to fulfill its functions.

16. Resource Mobilization Committee

- 16.1 The CCM has a Resource Mobilization Committee that comprises 9 members. The committee structure includes both the 5 CCM members, and 4 non-CCM, representatives of the task forces and invited experts as needed. The composition of the committee is approved at the CCM session.
- 16.2 The mandate of the Resource Mobilization Committee is to coordinate funding requests to different funders and selection process of PRs on behalf of the CCM.
- 16.3 The roles of the Resource Mobilization Committee are the following:
- Ensure coordination of the CCM's funding requests and harmonization functions.
 - Promote and organize country dialogue and translate its outcomes into the Global Fund concept note.
 - Ensure development of the concept notes along the CCM choices in a timely manner according to a CCM approved calendar.
 - Develop the best effort to be as inclusive as possible of AIDS, TB and Malaria affected populations in the design of concept notes.
 - Design and follow an open and transparent process to select the most appropriate PR to implement the future grants.
 - Follow up on the Technical Review Panel (TRP) and GF secretariat requests and remarks until the concept note becomes a grant agreement.
 - Seek for other sources of funding to fulfill the needs of people affected by AIDS, TB and malaria in Lao PDR and.
 - Contribute with the CCM Sec to the elaboration of a sound and feasible CCM action plan and budget that will further be endorsed by the CCM.
 - Optimize the CCM secretariat (CCM Sec) functioning.
- 16.4 The organization of the Resource Mobilization Committee is regulated by its ToRs.
- 16.5 The frequency of Resource Mobilization Committee meetings is defined by the Committee itself taking into account the need to fulfill its functions.

17. Oversight Committee

- 17.1 The CCM has an Oversight Committee that comprises 9 members. The committee structure includes both the 5 CCM members, and 4 non-CCM, chairs or representatives of the task forces and invited experts as needed. The composition of the committee is approved at the CCM session. When the determination of the Oversight Committee Members takes effect, there must be at least four members who have specialized skills in the one of the following areas:
- (i) Financial management,
 - (ii) Disease-specific expertise,
 - (iii) Procurement and supply management
 - (iv) Program management
- 17.2 The role of the Oversight Committee is to oversee the implementation of grants provided to the PRs by the Global Fund starting from proposal development through grant closure.

17.3 The functions of the Oversight Committee are to oversee the following:

- Appropriate and timely use of financial resources;
- Appropriate and timely procurement via Global Fund financing;
- Efficient implementation of programs;
- Efficient management of grants and SRs;
- Achievement of results of implementing grants and their impact.

17.4 The organization of the oversight committee's operations is regulated by its ToRs, and the CCM oversight plan.

17.5 The frequency of Oversight Committee meetings is defined by the Oversight Committee itself taking into account the need to fulfill its functions.

18. Task Forces

18.1 The CCM has four task forces (on HIV/AIDS, tuberculosis, malaria and Health Systems Strengthening) that contribute to the full-fledged and effective performance of the CCM and the standing committees.

18.2 The CCM defines the composition of the task forces (TF), and sets the criteria for selecting candidates depending on the tasks assigned. Each task force must comprise at least one member who is a CCM member and external technical experts. TF tasks are defined by the CCM and the two standing committees TF report to the standing committees. In order to optimize and best coordinate their work, each TF has two members who each is a member of the two standing committees. (RMC, OC).

18.3 The functions of task forces are defined by the TORs approved by the CCM and elaborated by the standing committees.

18.4 Heads/chairs/coordinators of the task forces regularly maintain communications with other members of the CCM Executive Committee and coordinate their assignments and tasks with them.

19. Ad hoc Committees/Commissions

19.1 The CCM shall set up ad hoc committees or commissions, as needed, e.g. proposal/concept paper development committee, gap analysis committee, COI and ethics commission, election commission, etc.

19.2 Each ad hoc committee or commission shall conduct tasks assigned to it by the CCM, and make recommendations to the CCM. The TORs of any committee must be clearly documented and approved by the entire CCM to ensure transparency and inclusive decision making.

19.3 The composition of each ad hoc committee or commission shall be determined by a CCM simple majority vote. Members of an ad hoc committee do not need to be CCM representatives, but the committee chair must be a CCM representative.

19.4 Each ad hoc committee or commission chair shall be chosen by the committee or commission in question. Each committee or commission shall operate preferably by consensus. Each committee or commission shall regularly report on its work to the CCM.

20. CCM Meetings

20.1 The CCM holds no fewer than four meetings in a year. If required, the chair or vice chair(s) of the CCM can call additional meetings. Additional meetings may also be convened at the initiative of not less than 50% of the CCM members. The CCM can deliberate validly if 50% of the members are present (quorum). 12 seat representatives (member or alternate)

20.2 Meetings of working groups and committees take place according to the planned schedule or as required. Meetings of the oversight committee and RMC take place not less than once in a quarter.

20.3 All CCM members must receive, by email, fax or letter, at least one (1) week prior notice of regular meetings of the CCM. The notice must specify the proposed agenda and contain all related supporting documents. The agenda may be modified and must be approved at the start of each meeting.

20.4 Decisions at CCM meetings are made by consensus. In cases when it is impossible to reach consensus, decisions are made by voting in the presence of a quorum. The CCM decisions are accepted by simple majority on the basis of voting by show of hands. Each time the vote is related to a person (election, sanction), the CCM shall conduct a vote by secret ballot.

20.5 Results of voting are recorded in the minutes and the draft minutes are distributed to all CCM members within 14 working days for the CCM members' consideration. At the following meeting, these draft minutes shall be discussed, amended as necessary, and approved by the CCM vote.

21. CCM Secretariat

21.1 The CCM secretariat is a permanent working organ of the CCM that bears responsibility for: logistics and administrative support of CCM operations and its committees and TWGs; keeping minutes; maintenance of CCM documentation; organizing translation of key documents and simultaneous translation for the CCM meetings, and the collection and dissemination of information related to the activities of the Global Fund, the CCM and its committees, PRs and SRs, as well as other stakeholders involved in fighting HIV/AIDS, tuberculosis and malaria.

21.2 The CCM formally approves annual/biannual work plans and budget for CCM secretariat operations.

21.3 The secretariat is financed by the Global Fund and through contributions by international, state, commercial and other interested organizations.

21.4 The CCM, on recommendation of Ex Com, approves the structure and staffing needs for the CCM secretariat, approves staff TORs, and authorizes the executive committee to conduct the recruitment process, as necessary.

21.5 Employees of the secretariat are employed on a competitive basis and approved by the Ex Com.

21.6 In its activities, the secretariat is guided by decisions of the CCM meetings. Operational procedures of the secretariat and its structure and functions are regulated by the secretariat operating procedures.

22. CCM Documentation

22.1 CCM has and maintains the following framework and working documents:

- Framework Documents:
 - Terms of Reference of the Lao People's Democratic Republic Country Coordinating Mechanism to Fight HIV/AIDS, Tuberculosis and Malaria
 - Oversight plan
 - Conflict-of-interest policy
- Working Documents:
 - CCM meeting minutes
 - CCM and secretariat work plans and budgets
 - Secretariat operating procedures
 - Membership renewal documentation

- Correspondence between CCM and PR and SRs, and between CCM and the Global Fund

22.2 All CCM documents are maintained and archived by the CCM secretariat in conformity with the requirements of the Global Fund and the legislation of Lao PDR and are available upon request.

23. Validity of the TOR

23.1 The TOR for the CCM is made available in Lao and English languages.

23.2 The TOR is effective immediately after the CCM endorsement and is subject to review as required.

15 JAN 2015
Chair of CCM
LyTou BOUPA

