



### **Chair's summary**

*UNITAID Board meeting, Geneva, October 9-10, 2006*

#### **Governance :**

1. Quorum : the Board convened in Geneva on October 9 and 10, 2006, in the presence of all its members, except the representative of the Asian country. The Board took note that this representative should be designated as soon as possible. It took note that it reached its quorum (i.e. the majority of its 9 voting members) and was in position to make decisions.
2. Election of UNITAID Board Chair : Minister Philippe Douste-Blazy was unanimously elected Chairman of UNITAID Board.
3. Hosting of the secretariat at WHO : WHO welcomed the creation of UNITAID and indicated it is committed to supporting it and to providing hosting for the secretariat and the fiduciary fund of UNITAID in the most efficient way.
4. Financial resources of UNITAID : the Chair outlined that as for current contributions, future ones should be additional, long term and predictable, either through the allocation of the proceeds of a solidarity levy, like the airline solidarity levy, or through multiyear budgetary contributions of at least five years.
5. Position of international partners : during the open session, the Global Fund against Tuberculosis, Aids and Malaria and UNICEF welcomed the creation of UNITAID and confirmed their strong commitment to develop joint actions on specific niches.

#### **Political initiatives to promote UNITAID**

6. Outreach towards Africa : the Chair encouraged the African Union to play a key role in engaging further African countries to introduce an airline solidarity levy and join UNITAID ; the Chair proposed to all members of the Board to attend a meeting of the African Union to present these initiatives.

7. TRIPS flexibilities : the Chair proposed to organize, in partnership with WHO, a high level meeting on the effective use of TRIPS flexibilities and on intellectual property issues with ministers of foreign affairs, health and industry of African countries.
8. Norwegian presidency of the Leading group on solidarity levies : Ms Sigrun Mogedal indicated that Norway was chairing the Leading group from September 2006 to March 2007 and would organize in Oslo a technical meeting (Decembre 5, 2006), which would focus on the solidarity levy and the taxation of currency transactions, and a high level conference meeting (February 6 and 7, 2007) with a broader agenda.

### **Legal documents**

9. The Board endorsed the following documents : the Constitution and the by laws of UNITAID, and the Memorandum of Understanding signed by the five founding countries with the WHO. The Board took note of the abstention of the representatives of the NGOS and of the communities living with the diseases on the Constitution.
10. Redrafting of the Constitution : the Board agreed to establish a working group, under the control of UNITAID Secrétariat, which will prepare a revised draft of the Constitution, taking to the extent possible into account the amendments proposed by the NGOs and of the communities living the diseases (attached to this document) as well as the comments made by the other Board members. These amendments should be sent to UNITAID Secretariat who will circulate to all other Board members. Where necessary, a drafting meeting could be organized before the next Board meeting). The Board agreed that the Constitution should not be too specific and that a balance should be kept between endorsing clear principles and maintaining some flexibility, while operational considerations might be placed on other reference documents such as the prospectus. This revised draft Constitution will be submitted for approval at the next Board meeting.
11. Legal personality of UNITAID : the Board asked WHO to prepare a paper on the legal personality of UNITAID and the extent of WHO accountability as host partner. This document will be circulated to the Board members before the next Board meeting.

### **Setting up of the Secretariat**

12. Interim executive Secretary : the Board appointed Mr Philippe Duneton as interim Executive Secretary of UNITAID. It was clarified that Mr Duneton was not interested in the substantive position.
13. Executive Secretary : the Board agreed on a D2 position for the Executive Secretary, with the possibility of searching for a higher grade, if needed, to take into account the profile of the candidate. The Board also decided that the term of the contract should be 4 years, with the possibility of renewing it for an additional period of 3 years. The Board insisted that the recruitment process should be transparent, competence-based and not taking into account any nationality consideration.

14. Structure of the Secretariat : the Board asked the secretariat to work with the Human Resources Department of WHO to review the proposals on job descriptions of UNITAID secretariat, so that they can be submitted for approval at the next Board meeting. In that review, one should focus on the functions rather than on the hierarchical links. A new structure will be proposed by the next Board meeting and based on the first weeks of experience with the interim Secretariat.
15. Preselection process : The Board took note that two of its members should be designated to take part in the selection panel of WHO, which will be responsible for the preselection of candidates for UNITAID secretariat. Chile and the Chair indicated they could volunteer where necessary.

### **First actions**

16. Support to WHO prequalification actions : the Board adopted a resolution (attached to this document ; for an amount of 1 MUSD in 2006 ; 6 MUSD envisaged for 2007) and decided to organize, before the next Board meeting, a technical meeting to clarify the value added of the contribution UNITAID could bring to the World Health Organization for the prequalification of medicines, in light of the support provided by other donors such as the Gates Foundation. Some Board members insisted on non earmarking specific actions for UNITAID. One Board member suggested UNITAID support to WHO prequalification action would need to be continuously reviewed on a year by year basis.
17. Purchase of paediatric ARVs : the Board adopted the resolution (attached to this document ; for an amount of 9,1 MUSD in 2006 ; 26,1 MUSD envisaged for 2007) and agreed that further analysis should be carried out on how the actions of UNITAID and of its members in this area are complementary and coordinated with other current initiatives such as the PEPFAR programme on ARVs).
18. ACT scale-up : the Board adopted the resolution (attached to this document ; for an amount of 9,05 MUSD in 2006, 60 MUSD envisaged for 2007) and agreed that the link of UNITAID action with Round 6 of the Global Fund against Tuberculosis, Aids and Malaria should be clarified.
19. MDR TB scale-up : the Board adopted a resolution (attached to this document ; for an amount of 7,9 MUSD in 2006 ; 38,2 MUSD envisaged for 2007) and agreed that a more elaborated document would be prepared by UNITAID secretariat and submitted at the next Board meeting. This document will precise the list of beneficiary countries, the value added of UNITAID in terms of price reduction and the link of UNITAID envisaged action with Round 6.
20. Paediatric TB : the Board adopted the resolution (attached to this document ; for an amount of 864.000 USD ; 4,8 MUSD envisaged for 2007).
21. Contribution of UNITAID to the Round 6 of the GFATM. The Board adopted a resolution (attached to this document ; for an amount of 52,5 MUSD for the Round 6) and agreed on

three principles that should guide the relationship with the Global Fund : additionality, respect of UNITAID eligibility criteria and niches, respect of the rule set by UNITAID pooled procurement. The Board underlined the fact that this contribution has to be considered as a pilot action, which will not prejudge overall cooperation between UNITAID and the Global Fund. The fulfillment of the three conditions will be examined at the next Board meeting.

22. PMTCT: the Board agreed that the 2006/2007 budget has sufficient funds to accommodate new proposals on PMTCT, which may be presented by UNICEF and WHO at the next Board meeting.

### **Budget 2006**

22. The Board approved the budget (a 28 MUS\$ allocation for actions and a provisionnal amount of 4,2 MUS\$ for the administrative support costs), under the condition that the part concerning the administrative support costs would be revised on a lower and more realistic basis for the next Board meeting.



Philippe DOUSTE-BLAZY