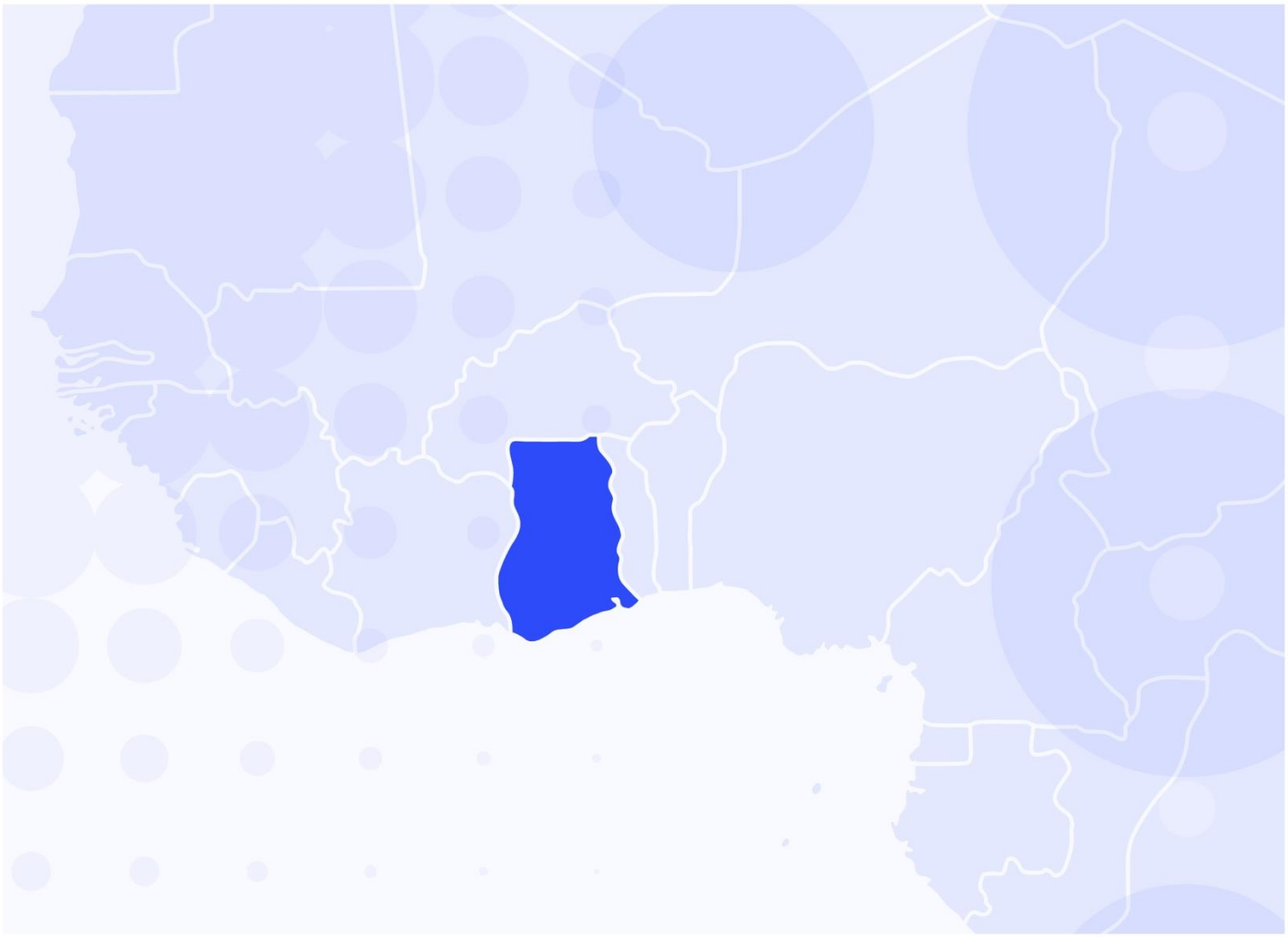




Investigation Report

Global Fund Grants in

Ghana

Failure of Principal Recipients to report allegations of sexual exploitation, abuse and harassment

GF-OIG-25-003
3 May 2025
Geneva, Switzerland

THE GLOBAL FUND
Office of the Inspector General

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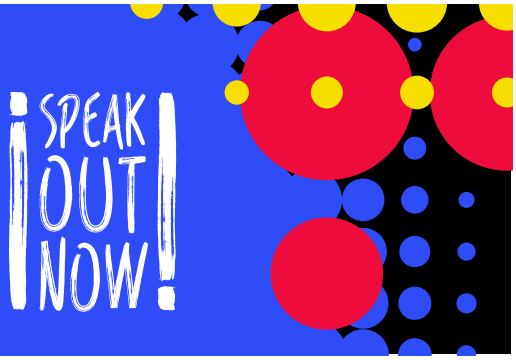
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Contents

1.	**Executive Summary**	**4**
1.1	Investigation at a Glance	4
1.2	Genesis and Scope	4
1.3	Findings	5
1.4	Context	5
1.5	Impact of the Investigation	7
2.	**Findings**	**8**
2.1	The Principal Recipient 1 failed to report allegations and an investigation of SEA affecting beneficiaries of the grant to the Global Fund, despite being informed of its reporting obligation	8
2.2	The Principal Recipient 2 failed to report allegations and investigations of SEA affecting beneficiaries of the grant to the Global Fund, despite being informed of its reporting obligation	9 10
2.3	Additional Observations	**12**
3.	**Global Fund Response**	**13** **15**
Annex A: Summary of subject responses		
Annex B: Methodology		

1. Executive Summary

1.1 Investigation at a Glance

Two Global Fund Principal Recipients received allegations of sexual exploitation, abuse (SEA) and sexual harassment of program beneficiaries by peer educators at two different sub-recipients (SR) in 2022. The implementers launched their own investigations without reporting the allegations to the Global Fund.

By not reporting the allegations, the Principal Recipients failed to comply with their grant obligations, including the Code of Conduct for Recipients of Global Fund Resources (the Code of Conduct).[1] Key staff in the Ghana Country Coordinating Mechanism (CCM) Secretariat were also aware of the allegations but did not report them to the Global Fund immediately, as required by the Code of Ethical Conduct for Country Coordinating Mechanism Members.[2]

Although the respective implementers investigated the allegations, their response did not ensure adequate protections in line with a victim-centered approach. The failure to report also resulted in the Global Fund being unable to monitor and ensure that adequate support and protection for victim/survivors was offered by the implementers, in accordance with the Code of Conduct and the Global Fund's Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power (PSEAH Framework).[3]

1.2 Genesis and Scope

In October 2022, a CCM Secretariat staff member informed the Principal Recipient 1 (PR1) of two allegations which the CCM had received, indicating that employees at a grant sub-recipient, “SR1”, had engaged in SEA of multiple program beneficiaries who were working as peer educators.

Separately, between February and December 2022, a second sub-recipient, “SR2”, reported to the Principal Recipient 2 (PR2) three allegations of sexual exploitation and sexual harassment of program beneficiaries in three separate locations.

The Global Fund only became aware of the allegations in February 2023, during fieldwork for an OIG Ghana Country Audit. As a result, OIG opened this investigation.

Both Principal Recipients' investigations substantiated wrongdoing. Based on OIG's review of the records of the implementing partners' investigative activities, OIG found no evidence suggesting the presence of additional victim/survivors. Given the above, and to minimize the risk of further harm or re-traumatization to victim/survivors, OIG did not re-investigate the underlying allegations further.

[1] The Code of Conduct for Recipients of Global Fund Resources, amended as of 11 February 2021, p. 4 & 5, Article 3.5.3.4 and 8.1. Accessed on 11 July 2023
[2] Code of Ethical Conduct for Country Coordinating Mechanism Members, available at https://www.theglobalfund.org/media/8234/core_codeofethicalconductforccmmembers_policy_en.pdf
[3] The Global Fund’s Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power, Section 3, Support to the survivors & victims p.26; https://www.theglobalfund.org/media/11239/core_pseah-related-abuse-power_framwork_en.pdf, accessed on 07 August 2023;

1.3 Findings

Two Principal Recipients failed to comply with Global Fund requirements outlined in the Code of Conduct and the Grant Regulations version 1 (2014)[4] (Grant Regulations)[5] by not reporting allegations and their investigation of various incidents of sexual exploitation, abuse and/or sexual harassment (SEAH). The Principal Recipients were sufficiently informed of their reporting obligations, including a provision of the Code of Conduct, which states that "Recipients and Recipient Representatives shall notify the Global Fund **as soon as they have knowledge of allegations** of sexual exploitation and abuse, and sexual harassment." (emphasis added)[6] Representatives from the two Principal Recipients referred to in this report had also attended and received PSEAH capacity-building awareness training, including information on the Global Fund's reporting requirements.

1.4 Context

Ghana is a lower-middle-income country in Western Africa, with a population of 34.1 million people. Ghana is administratively divided into 16 regions, which are further subdivided into 216 districts.

Public health programs in Ghana are implemented through various agencies of the Ministry of Health (MOH), including the Ghana Health Service, teaching hospitals, and quasi-governmental health institutions. The national disease programs under the Ghana Health Service operate through a tiered regime: regional, district, and health facilities level.

Country data[7]	
Population (2023)	34.1 million
GDP per capita (2023)	US$ 2,238
Transparency International Corruption Perception Index (2023)	70 of 180
UNDP Human Development Index (2022)	145 of 193
Health expenditure (% of GDP) (2021)	4.15%

The proportion of the MOH's budget to Ghana's national budget has averaged 7% since 2018, compared to the Abuja declaration target of 15%.[8]

Key results of Global Fund investments in 2023 in Ghana[9]



Since 2002, the Global Fund has signed over US$1.6 billion in grants and disbursed more than US$1.37 billion in grant funding to support Ghana's fight against the three diseases. The Global Fund signed US$370 million in grants for Ghana for the 2020-2023 funding allocation period (Grant Cycle 6 (GC6)), of which 89% has been disbursed.

[4] The Grant Regulations version 1 (2014), sections 7.7 and 9.2, accessed on 21 July 2023
[5] The Code of Conduct and the Grant Regulations form parts of the grant agreement signed and entered into by the Principal Recipients and the Global Fund.
[6] The Code of Conduct for Recipients of Global Fund Resources , amended as of 11 February 2021, p. 4 & 5, Article 3.5.3.4. See also Article 8.1. Accessed on 11 July 2023
[7] Sources: Population, GDP and health expenditure at https://apps.who.int/nha/database/country_profile/Index/en; information on transparency index from Transparency International' Corruption Perceptions Index at https://www.transparency.org/en/countries/Ghana; development data from UNDP's Human Development Index at https://hdr.undp.org/data-center/specific-country-data#/countries/GHA all accessed 20 November 2024
[8] World Health Organization, Country Profile Ghana 2023, accessed 21 November 2023
[9] The Global Fund, Ghana data Results 2023, accessed on 20 November 2023

PR1 implements a US$17.4 million Global Fund grant GHA-H-WAPCAS (Grant Cycle 6: 2021-2023), "Scaling up quality HIV care cascade through community engagement and addressing human rights barriers."

The grant was dedicated to enhancing HIV testing, treatment initiation, and viral load suppression rates among the people of Ghana. PR1 supports initiatives aimed at achieving HIV epidemic control, meeting the accelerated treatment targets of 90-90-90 by 2023, and addressing stigma and discrimination—critical barriers to accessing HIV services.[10]

SR1 is a PR1 grant sub-recipient supporting community-based programs. SR1 supports the program by implementing HIV testing and counselling, conducting community outreach and education, and implementing stigma reduction initiatives. It also focuses on capacity-building skills for healthcare workers and practices that affect all populations' health and rights. These activities are essential in addressing human rights barriers and improving HIV service access, and include outreach through 'Models of Hope', community volunteers living with HIV who are also beneficiaries of Global Fund-supported programs, who function as peer educators.

PR2 implements the "Investing for Impact to End Tuberculosis and HIV" grant, GHA-C-CHAG. The US $21.4 million program (GC6: 2021 to 2023) focused on strengthening community health systems to reduce stigma and improve access to HIV and TB services. The grant was designed to enhance treatment adherence and lower new infection rates through targeted interventions, including community-led monitoring and advocacy efforts.[11] SR2 is a grant sub-recipient, supporting community-based programs. SR2 activities also engage 'Models of Hope'.

In March 2021, the OIG published an investigation report[12] highlighting SEA-related misconduct by a recipient of grant funds in Ghana. OIG found that implementers failed to provide PSEAH training and awareness or reporting channels to program participants, onward recipients and suppliers.

Following the 2021 investigation, the Global Fund Secretariat reviewed its legal contracts, codes of conduct, and related Principal Recipient policies, and ensured that ethical and PSEAH-related obligations were conveyed and cascaded down to all grant recipients.

In July 2021, the Global Fund Secretariat issued the PSEAH Framework, prioritizing victim/ survivor dignity, safety, and needs, while focusing on capacity-building for implementers, CCM member training, reporting channels, support services, and investigations.

The Code of Conduct and the PSEAH Framework both emphasize recipients, and their representatives are required to report any allegations of SEAH as soon as they have knowledge of them.

The Global Fund Secretariat engaged with stakeholders at the country level during the implementation of the PSEAH framework. All PRs active on Global Fund-funded programs in Ghana, including PR1 and PR2, as well as CCM members, subsequently completed PSEAH awareness training and received the updated Code of Conduct covering PSEAH. In June 2022, a Ghana CCM Ethics Officer was hired to support the prevention of PSEAH initiatives.

Despite these initiatives, a 2023 OIG Audit of Global Fund Grants to Ghana[13] found that SEAH allegations were not being reported to the Global Fund in a timely manner.

[10] The Global Fund (2023). GHA-H-WAPCAS grant overview. The Global Fund Data Service https://data.theglobalfund.org/grant/GHA-H-WAPCAS/2/overview (accessed on October 24, 2024),
[11] The Global Fund (2023) The Data Explorer - GHA-C-CHAG (theglobalfund.org) accessed on 24 October 2024.
[12] The Global Fund OIG publications: https://www.theglobalfund.org/media/10701/oig_gf-oig-21-005_report_en.pdf accessed on 24 September 2024
[13] The Global Fund Publications: Audit Report the Global Fund Grants in Ghana dated 18 December 2023, accessed on 24 September 2024

1.5 Impact of the Investigation

In October 2022, PR1 received allegations of sexual abuse and exploitation within program activities involving two SR1 employees. PR1 appointed an external expert to investigate and, in April 2023, found that three Global Fund beneficiaries had experienced sexual exploitation and abuse by the two SR1 employees. SR1 subsequently dismissed the two employees involved in the wrongdoing, and in November 2022, PR1 delivered PSEAH awareness training to the volunteers/peer educators.

In February 2022, SR2 reported a sexual exploitation allegation to PR2, alleging that a volunteer peer educator abused his position to solicit sex acts from a beneficiary. In October 2022, SR2 identified another sexual harassment incident involving a second volunteer peer educator, who made sexual advances towards a beneficiary. In November 2022, SR2 reported to PR2 a third sexual exploitation and sexual harassment allegation, involving a third volunteer peer educator and three beneficiary victim/survivors. In all three incidents, SR2 confirmed the sexual exploitation and harassment wrongdoing and took appropriate action, including one volunteer's dismissal, and suspending and counselling the other two individuals.

OIG was eventually able to review PR1's and PR2's investigations for sufficiency and determined that no further OIG investigative activities were required, as no additional victim/survivors were reported, and to avoid possible re-traumatizing of the identified victim/survivors. However, both PRs' failure to report the allegations directly to the Global Fund resulted in the Secretariat being unable to offer proper, timely, victim support or safeguarding actions.

This case highlights the importance of ongoing training and strict enforcement of the Code of Conduct and PSEAH Framework. Principal Recipients, Country Coordinating Mechanisms, and other stakeholders must have a clear and consistent approach to managing SEAH allegations, which incorporates Global Fund reporting requirements and a victim-centered, trauma-informed approach to investigations.

The case also highlights the importance of communication and coordination, key principles underpinning the Global Fund’s approach to PSEAH. The Code of Conduct and PSEAH Framework emphasize the need for in-country partners to engage locally with victim/survivors and their communities to prevent, detect, and respond to SEAH and abuse of power.

CCMs, in particular the Ethics Officer, play an important role as a trusted in-country resource to support an implementing partner’s PSEAH responses. CCMs are, however, not part of, nor an agent of, the Global Fund as an entity (i.e. either the Secretariat or OIG). Reporting to the CCM alone is not sufficient for implementers to meet their contractual grant obligations to report allegations to the Global Fund itself. Direct communication to the Global Fund is therefore critical. CCMs and PRs should be aware of this, and ensure allegations are promptly notified to the Global Fund.

Reporting allegations to the Global Fund does not replace in-country response mechanisms to SEAH allegations but rather strengthens them through technical and other assistance designed to ensure equity in victim/survivor-centered response across all implementers. It also helps ensure accountability and transparency in PSEAH responses.

2. Findings

2.1 PR1 failed to report allegations and an investigation of SEA affecting Global Fund grant beneficiaries, despite being informed of its reporting obligation

In October 2022, the Ghana CCM Secretariat informed PR1 of allegations it received related to possible SEA involving peer educators and beneficiaries in SR1's Global Fund grant program. In December 2022, PR1 appointed an independent expert to investigate the allegations.

In February 2023, PR1 reported the conclusion of the investigation to the CCM Secretariat. The investigation found that two SR1 employees abused their position by demanding sex acts from beneficiaries. The victim/survivors, who were also serving as program implementation volunteers, were informed by the employees that they needed to provide sex acts in order to ensure they were retained on the list of stipend payments linked to their volunteer activities. In October 2022, upon becoming aware of the allegations, SR1 took immediate action by suspending the individuals involved; PR1 – through an appropriately qualified independent expert – investigated, and, conducted PSEAH awareness training. Subsequently, in May 2023, SR1 dismissed the two employees involved.

In February 2023, during an OIG audit, the CCM informed OIG of the allegations and investigative findings. PR1 did not report either the allegations or the investigation to the Global Fund.

The OIG found that PR1 was sufficiently informed of the Global Fund requirements for reporting allegations. The reporting obligations are set out in the signed Grant Agreements between PR1 and the Global Fund, specifically in the Code of Conduct and the Grant Regulations. Separately, as early as February 2021 and again in August 2022, the Global Fund explicitly informed PR1 of their reporting obligations. This included information related to PSEAH provisions, operational updates, and outreach sessions focused on PSEAH awareness training, which were attended by PR1 staff.

In response to OIG's preliminary findings, PR1 acknowledged that it did not report the allegations to the Global Fund. PR1 informed OIG the failure to directly inform the Global Fund was not based on an intention to avoid its obligations; rather, as Global Fund Guidelines state that the CCM Ethics Officer has the role of "… ensuring that the Global Fund is notified of concerns, allegations or breaches as appropriate…", and, as such, PR1 reasonably assumed that the CCM Ethics Officer would report to the Global Fund on its behalf.

While the CCM Ethics Officer's Terms of Reference (TOR) does include the responsibility to ensure compliance with the PSEAH Framework, the OIG finds that PR1's rationale is inconsistent with the explicit provisions of the Code of Conduct and the training it received regarding reporting to the Global Fund.

The Grant Regulations specify that the Principal Recipient "shall notify the Global Fund promptly in writing of any audit, **investigation**, probe, claim or proceeding pertaining to the operations of the Principal Recipient or any of its Sub-recipients or Suppliers" (emphasis added).[14] While these notification provisions are broad – reporting to any Global Fund employee would satisfy the requirement – the Framework Agreement also contains a notification provision listing a senior Global Fund point of contact for communication regarding any notice, which similarly could have been used. In addition to not reporting the initial allegations to the Global Fund, PR1 did not inform the Global Fund that it was launching its own investigation in November 2022 and, therefore, did not comply with the Grant Regulations.

[14] The Grant Regulations Version 1 (2014): Article 7.7. See also Article 9.2, Notice of Material Events.

2.2 PR2 failed to report allegations and investigations of SEA affecting beneficiaries of the grant to the Global Fund, despite being informed of its reporting obligation

In February 2022, SR2 informed PR2 of an incident related to alleged sexual exploitation by an SR2 volunteer. The related SR2-led investigation found that the volunteer had abused their position of power to engage in sexual activity with a beneficiary accessing Global Fund-supported medical services. It was also reported that as a result of the sexual exploitation, the victim/survivor defaulted on a subsequent medical appointment. PR2 and SR2 representatives were involved in a hearing with the subject of concern in February 2022. OIG found no evidence to indicate that this matter was reported to the Global Fund or the CCM.

In October 2022, PR2 received a separate sexual harassment allegation from SR2 regarding another volunteer working at a health facility, who was allegedly sexually harassing beneficiaries. In November 2022, SR2 informed PR2 of another harassment allegation involving a third volunteer engaging in similar sexual harassment of beneficiaries. In November 2022, soon after receiving these allegations, PR2 reported these matters to the CCM. PR2 reported neither the allegations nor their subsequent investigation to the Global Fund.

The Global Fund only learned of the two allegations from SR2 to PR2 in February 2023, through the CCM in the context of an OIG Audit. The other sexual exploitation allegation (known to PR2 in February 2022) remained unreported until August 2023, when PR2 disclosed it to OIG in the context of this OIG investigation. The OIG confirmed that SR2 substantiated each investigation and took appropriate action through disciplinary hearings, which resulted in the dismissal of one volunteer while the other two were suspended, counselled, and retained.

PR2 was sufficiently informed and aware of Global Fund requirements for reporting allegations, including through their grant agreement and additional Global Fund outreach. However, OIG found that despite being aware of their obligations, PR2 did not comply with the requirement to report to the Global Fund “as soon as they (had) knowledge” of allegations of sexual exploitation and harassment.

In response to OIG's preliminary findings, PR2 stated that the requirement for Principal Recipients to report allegations of SEAH to the Global Fund 'immediately' is ambiguous, as the term 'immediately' is not defined in a time period. In the OIG's view, the term ‘immediately,’ as well as the term 'as soon as' (referenced in other provisions related to reporting obligation) is unambiguous and can be clearly understood. A delay of some days, while a recipient processes a complaint might be reasonable; waiting until after an investigation is completed, four months after an allegation is received, is inconsistent with the grant obligations and Global Fund's principles for providing adequate victim/ survivor support.

PR2 indicated in its response to OIG that SR2 had informed the CCM Officer about the sexual exploitation and harassment allegations in October 2022 and November 2022 (although as noted above, OIG found no record of any such report of the February 2022 allegation). While the CCM Ethics Officer is active in ensuring compliance with the PSEAH Framework, PR2’s reliance on a third party such as the CCM to fulfill its reporting obligations to the Global Fund is inconsistent with the terms of the Grant Agreement, as highlighted above.

Grant Regulations specify that Principal Recipients are required to notify the Global Fund promptly in writing of any investigation pertaining to their operations. While these notification provisions are broad – reporting to any Global Fund employee would satisfy the requirement – the Framework Agreement also contains a notification provision, listing a senior Global Fund point of contact for communication regarding any notice, which similarly could have been used. In addition to not reporting the initial allegations to the Global Fund, neither PR2 nor SR2 informed the Global Fund that it was launching its own investigation in February, October, and November 2022, further not complying with Grant Regulations.

2.3 Additional Observations

The failure to report these allegations prevented the Global Fund from being able to monitor and ensure adequate support or protection of impacted victim/survivors

All investigations into allegations of SEAH and related abuse of power should be guided by a victim/survivor-centered, trauma-informed methodology, consistent with the principle of "do no harm". They should follow a case-specific risk assessment by professional, trained investigators.

Both PRs' failure to report the allegations resulted in the Global Fund being unable to monitor in real time and ensure the implementers offered adequate support or safeguarding actions to the victim/ survivors, as they are expected to by the Code of Conduct.[15]

While the OIG acknowledges that PR1 acted upon learning of the allegations, PR1's independent investigation could have better protected victim/survivors' dignity, safety, and needs as guided by the Global Fund's PSEAH framework. The two victim/survivors reported not receiving adequate support from PR1 or SR1 and had to seek their own independent assistance to address the stigma and other psychosocial aspects of their well-being, following the incidents.

Similarly, while SR2 followed due process to resolve the allegations, it could have better implemented a victim/survivor-centered approach. In one case, PR2 reported that the health facility did not disclose the victim/survivor's identity to SR2 or PR2, citing patient confidentiality. While PR2 stated they were informed by the Health Facility that counseling was offered to the victim/survivors, the absence of identification raises questions about how and if PR2 and SR2 could have adequately ensured the victim/survivors received the needed support.[16] Even in cases where the victim/survivor's identity was disclosed, there was no record to confirm PR2 facilitated contemporaneous support, in the manner outlined in the Code of Conduct or PSEAH Framework.

The CCM incurred a delay in reporting of SEAH allegations to the Global Fund

The Code of Ethical Conduct for Country Coordinating Mechanism Members states that CCM Members are required to report immediately all allegations of SEAH to the Global Fund.

The OIG identified that CCM Secretariat staff first became aware of the PR1 allegations in October 2022 and the PR2 allegations in November 2022. While they eventually reported matters to OIG during a country audit in February 2023, the four-month gap in reporting did not comply with the Global Fund's requirements for immediate reporting.

The Ghana CCM had additional resources to help the prevention of SEAH, including a dedicated Ethics Officer. The TOR for the CCM Ethics Officer indicates that a key responsibility is "Supporting fund recipients in the execution of their PSEAH obligations and overseeing their ongoing adherence to the PSEAH requirements and expectations in the Code." While the OIG acknowledges the CCM did share the allegations with the respective PR for action, it did not ensure the PR fully met its PSEAH reporting obligations, which include the PR reporting to the Global Fund. This directly impacted the Global Fund's ability to provide timely support to the affected victim/survivors.

The CCM Ethics Officer informed OIG that the late reporting was influenced by their recent arrival to the function (June 2022), and confusion regarding how to balance whistleblower confidentiality with reporting

[15] Code of Conduct, Article 3.5.3.3. The Global Fund subsequently contacted all identified victim/survivors from the cases, and with the support of the Global Fund's Protection from Sexual Exploitation, Abuse, and Harassment Coordination Unit (PCU), offered additional support on a case-by-case basis.
[16] OIG could not independently corroborate what support was provided to the unidentified victim/survivors for who no consent to share contact details was provided.

obligations. While the OIG notes that this is a valid concern, no consultations regarding guidance on this matter were sought with the Global Fund OIG, the Ethics Office, or the Global Fund Secretariat.

3. Global Fund Response

Since 2021, the OIG has published four Investigation Reports related to SEA. The associated Agreed Management Actions from those reports have prompted action by the Global Fund in updating PSEAH policies and contractual provisions and led to increased resources in training and case management, especially under the Secretariat's Ethics Office. Nonetheless, this report highlights the need for continued outreach and awareness on the requirements for Global Fund stakeholders in reporting and responding to SEA allegations.

The Global Fund Ethics Office provides PSEAH capacity building, through in-country training on how to prevent and deal with cases of sexual exploitation, abuse, and harassment. The Ethics Office is undertaking reviews of Global Fund Codes of Conduct, which will continue throughout 2025, and in the course of this work will review and update the Code of Conduct and PSEAH Framework, to ensure clarity and alignment across other Global Fund codes and policies. The Ethics Office will develop and deliver appropriate learning and engagement to support the ongoing implementation of these Codes.

Action to be taken	Due date	Owner
1. By December 2025, the Ethics Office will review and update the Code of Conduct for Recipients of Global Fund Resources and the Global Fund's Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power (PSEAH Framework), to ensure clarity and alignment across other Global Fund policies, and develop and deliver learning and engagement materials to enhance the understanding and implementation for Covered Parties	31 December 2025	Chief Ethics Officer

Annex A: Summary of subject responses

On 17 September 2024, the OIG provided PR1 and PR2 respective Letters of Preliminary Findings, which represented the full record of relevant facts and findings as they related to them. The two implementers were afforded an opportunity to provide comments and supporting documents on the findings and conclusions. PR1 provided its response on 7 October 2024, while PR2 responded on 2 October 2024. On 11 November 2024, the OIG provided both PRs with a Notice of Findings for their review. Responses were received from PR1 on 26 November and from PR2 on 27 November 2024.

On 11 February 2025, the OIG provided a draft Investigation Report to the CCM for comment, but no response was received within the extended deadline of 5 March 2025.

Below is a summary of the main responses. All points made in the responses were duly considered by the OIG, and appropriate revisions were made to the findings as part of this final report.

PR1 Response

PR1 refuted the finding that it acted inconsistently with its contractual obligations and failed to report allegations of SEAH to the Global Fund. PR1 described the matter as a procedural issue rather than an intentional wrongdoing. PR1 also emphasized its zero-tolerance policy on SEAH, and its effort.

- PR1 stated that Global Fund Guidelines for CCM Ethics Focal Point or CCM Ethics Committee, which state that the CCM Ethics Officer has the role of *"… ensuring that the Global Fund is notified of concerns, allegations or breaches as appropriate…",* gave PR1 the impression that the CCM Ethics Officer would report the allegations to the Global Fund on its behalf.
- PR1 also stated that channels to report SEA allegations to the Global Fund had not been clarified prior to the OIG's visit to Ghana in 2023.
- PR1 noted that the Code of Conduct does not exclusively require reporting to the OIG, only that notification should be made to the Global Fund.

OIG considered this response in section 2.1 above. The CCM Ethics Officer is not a Global Fund employee, and reporting to the CCM is not equivalent to reporting to the Global Fund (whether the Secretariat or the OIG) as required by the Code of Conduct. The OIG agrees that the reporting provisions are not prescriptive as to who (or which body) in the Global Fund must be informed. Allegations can be reported to the Secretariat or the OIG directly, including via anonymous reporting channels. Separately, the Framework Agreement between the PR and the Global Fund contains a notification clause with contact details for a senior Global Fund Grant Management official, thus providing an additional avenue the PR could have taken to notify the Global Fund.

PR1 also refuted the finding that its failure to report to the Global Fund had impacted victim/survivors and complainants.

- PR1 stated that when conducting its own investigation, it had ensured that victim/survivors and complainants received the necessary support and protection, including offering access to medical, psychosocial, and legal services, as well as protection against retaliation. Those accused of engaging in wrongdoing were asked to step away from their posts pending the investigation outcome. PR1 said its investigative process was communicated to the CCM Ethics Officer, who provided guidance to ensure adequate support and protection for witnesses and complainants.

OIG considered this response in section 2.3 above. While PR1 did take steps to respond to the

matters, victim/survivors informed OIG that they did not receive adequate support and had to seek certain support on their own. Importantly, the failure to report the allegations to the Global Fund prevented the Global Fund from being able to independently monitor and ensure adequate support or protection of impacted victim/survivors.

PR2 Response

PR2 refuted the finding that it had acted inconsistently with its contractual obligations or failed to report allegations of SEAH. PR2 stated that the Code of Conduct and Grant Regulations were unspecific regarding reporting channels or timeframes. PR2 highlighted that Global Fund briefings to CCMs set out the requirement for the CCM Ethics Officer to report SEAH-related issues to the Global Fund.

The OIG considered PR2's response in section 2.2 of this Report. The CCM Ethics Officer is not a Global Fund employee, and reporting to the CCM is not equivalent to reporting to the Global Fund as required by the Code of Conduct. OIG agrees the reporting provisions are not prescriptive as to who (or which body) in the Global Fund must be informed. Allegations can be reported to the Secretariat or the OIG directly, including via anonymous reporting channels. Additionally, the Framework Agreement between the PR and the Global Fund contains a notification clause with contact details for a senior Global Fund Grant Management official, thus providing an additional avenue the PR could have taken to notify the Global Fund. Nonetheless, the Global Fund will consider this feedback in the context of ongoing PSEAH training.

PR2 stated that during the OIG investigation, the OIG was provided with sufficient information to enable additional victim/survivor support and maintained that it adequately addressed the cases and provided support to the victim/survivors.

The OIG considered this response in section 2.3 of this Report. The OIG's observation is that PR2's own response in ensuring adequate, contemporaneous victim/survivor support, was deficient. Specifically, PR2 did not explain how it could ensure the type of victim/survivor support expected by the Code of Conduct if it did not know the identity of all victims. Similarly, providing the OIG with contact information for the Health Facility, and not the victim/survivors, is not considered sharing of sufficient information for support confirmation, particularly given the lack of direct relationship between the Global Fund and the Health Facility, and patient confidentiality limitations.

Annex B: Methodology

Why we investigate

Wrongdoing, in all its forms, is a threat to the Global Fund's mission to end the AIDS, tuberculosis and malaria epidemics. It corrodes public health systems and facilitates human rights abuses, ultimately stunting the quality and quantity of interventions needed to save lives. It diverts funds, medicines and other resources away from countries and communities in need. It limits the Global Fund's impact and reduces the trust that is essential to the Global Fund's multi-stakeholder partnership model.[17]

The OIG is mandated[18] to investigate any use of Global Fund funds, whether by the Global Fund Secretariat or grant recipients, or by their suppliers, and report its findings in a transparent and accountable manner.[19] The Global Fund Secretariat ensures this oversight is included in related agreements.

What we investigate

The scope of OIG investigations covers operations and activities within the Global Fund and the programs it funds (including those of its program recipients, suppliers, and service providers).

Investigations aim to identify instances of wrongdoing, such as fraudulent and corrupt practices, but also failure to uphold the applicable human rights standards and instances of sexual exploitation and abuse. Investigations are predicated by whistle-blower allegations[20], routine escalation of business information, risk analysis or referrals from other entities.

The OIG bases its investigations on the contractual commitments undertaken by grant recipients and suppliers. Requirements with respect to the management of funds and performance of activities are notably defined in the Global Fund's Code of Conduct for Suppliers and Code of Conduct for Recipients.[21]

OIG investigations aim to:

- Identify the nature and extent of wrongdoing affecting Global Fund grants and the entities accountable and, if applicable, determine the amount of grant funds that may have been compromised by wrongdoing; and
- Place the Global Fund in a position to understand the root causes for the wrongdoing, to recover funds, and to take remedial action and preventative measures by identifying where and how the misused funds have been spent.

Who we investigate

The OIG investigates wrongdoing by the entities accountable for performance and execution of activities funded by the Global Fund. These are Principal Recipients and their Sub-recipients, Country Coordinating Mechanisms or Board Constituencies receiving financial support from the Global Fund, Local Fund Agents, recipients of Catalytic Funding, and other suppliers and service providers to the Global Fund or to recipients. Secretariat activities linked to the use of funds are also within the scope of the OIG's work.

[17] Introductory paragraph of the Global Fund Policy to Combat Fraud and Corruption.
[18] Charter of the Office of the Inspector General, as amended from time to time.
[19] Policy for the Disclosure of Reports Issued by the Office of the Inspector General, as amended from time to time.
[20] Whistle-blowing Policy and Procedures for the Global Fund to Fight AIDS, Tuberculosis and Malaria, as amended from time to time.
[21] Global Fund Code of Conduct for Suppliers, and the Code of Conduct for Recipients of Global Fund Resources, as amended from time to time. Grants are typically subject to the Grant Regulations (2014), which incorporate the Code of Conduct for Recipients and mandate communication of the Code of Conduct for Suppliers. Terms may vary however in certain agreements.

Principal Recipients are accountable to the Global Fund for their compliance in the use of all grant funds, including those disbursed to Sub-recipients and paid to suppliers.[22] They ensure the appropriate requirements are made applicable to those entities.

How we investigate

The OIG conducts administrative, not criminal, investigations. It is not a law enforcement or judicial authority. It is the recipients' and suppliers' responsibility to demonstrate that their actions and that of their agents and employees comply with applicable agreements. OIG findings are based on facts and related analysis, which may include drawing reasonable inferences. Findings are established by a preponderance of evidence. All available information, inculpatory or exculpatory, is considered by the OIG.[23]

Investigations into allegations of human rights violations and sexual exploitation and abuse are conducted with a victim-centered, trauma-informed methodology, following a case-specific risk assessment. This work is guided by the Global Fund's Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power.[24]

The investigation will attempt to quantify the extent of any non-compliant expenditures, including an amount proposed to the Secretariat as recoverable.

The OIG may also discharge its mandate by overseeing the activities of recipients or other parties having the appropriate capacity and mandate to perform investigative tasks. It may also share allegations and evidence with third parties where it is relevant to their work, in particular where a matter would be outside of its mission.

What happens after an investigation?

The OIG ensures the relevant entities have the opportunity to review and provide evidence or comments on the findings and on the draft report.[25]

The OIG has a fact-finding role and does not determine what remedial and preventative measures the Global Fund may take as a result of its findings. The OIG is required to make final investigation reports available publicly in full.[26]

Following an investigation, the OIG and the Secretariat agree on management actions that will mitigate the risks that wrongdoing poses to the Global Fund and its recipients' or suppliers' activities. These may include specific managerial decisions, financial recoveries, instructions applicable to implementers and suppliers, internal process changes, or other contractually available remedies. With respect to suppliers, this can include seeking advice from the Sanction Panel.[27] The scope of such actions is subject to the mandate and capacity of the Global Fund, and does not directly amend or otherwise deviate from the existing terms of agreements and contracts.

OIG may make referrals to other organization which have an interest in the investigation outcome, or to national authorities for criminal prosecutions or other regulatory and administrative actions, and support such processes as appropriate. The Global Fund, in its sole discretion, may share also information related to its findings, including regarding individuals identified in this report, with third parties, as deemed appropriate.

[22] Compliant expenditures are defined in the Global Fund Guidelines for Grant Budgeting, as amended from time to time.
[23] These principles comply with the Uniform Guidelines for Investigations, 2nd edition, Conference of International Investigators.
[24] See The Global Fund's Operational Framework on the Protection from Sexual Exploitation and Abuse, Sexual Harassment, and Related Abuse of Power, in particular sections IV. *2. Investigations* and IV. *3. Support to survivors & victims*, as amended from time to time.
[25] See the OIG Investigations Stakeholder Engagement Model, as amended from time to time.
[26] See the Policy for the Disclosure of Reports Issued by the Office of the Inspector General, as amended from time to time.
[27] See the Sanctions Panel Procedures Relating to the Code of Conduct for Suppliers, as amended from time to time.