阳光下的选举档案

CCM Elections Archives

中国全球基金项目 国家协调委员会(CCM)

草根类别组选举资料汇编

北京爱知行研究所

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中国全球基金项目国家协调委员会 (CCM)

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关于召开全国草根非政府组织全球基金研讨协商会的通知

兹定于 2006 年 5 月 16-20 日在北京召开全国工作于艾滋病、结核病和疟疾三种疾病草根非政府组织关于全球艾滋病、结核病和疟疾基金(以下简称"全球基金")相关问题的研讨协商会,目的在于建立中国草根组织的网络和协商机制,组织全球基金中国国家协调委员会中国工作于上述三种疾病草根组织代表和列席代表的选举;具体问题涉及:

- 1、 全球基金的历史和发展现状,全球基金理事会和公民社会的参与,全球基金在中国的工作,包括赠款及其执行情况、国家协调机制改革,
- 2、 全球基金国家协调机制(COUNTRY COORDINATION MECHENISM, 以下简称 CCM)和公民社会的参与,
 - 3、 全球基金中国 CCM 改革和非政府部门代表的选举/推选过程及相关问题,
 - 4、 中国工作于三种疾病的草根非政府组织参与国家协调委员会代表机制的产生方式,
 - 5、 中国艾滋病草根非政府组织工作网络或联席会议制度的建立,
- 6、 全球基金中国 CCM "以社区为基础组织或其它非政府组织"(草根组织)类别代表的选举(如果与会代表同意当场组织选举的话),
 - 7、 其他问题,有待于参会代表在过程中不断补充。

本次会议由下列组织发起:

爱白文化教育中心

新疆雪莲花艾滋病教研项目组织

北京东珍纳兰文化传播中心

武汉馨缘工作组

北京爱知行研究所(北京知爱行信息咨询中心)

全国输血感染艾滋病受害者工作委员会

公民健康状况与受教育权工作组

河南宁陵县康乐家

天津市血友病联谊会

组委会成员: 陆军、常坤、冰蓝、李喜阁、万延海、王立新

组委会召集人: 陆军、万延海

组委会委托北京爱知行研究所承办此次会议。会议将邀请中国疾病预防控制中心(目前的 CCM 秘书处)、联合国机构、国际组织、法律学者、媒体等作为观察员参会。

任何工作于艾滋病、结核病和疟疾的草根组织可以报名参加本次会议。报名者需要递交参会报名表、签署组织独立性、非政府性和非营利性声明、是否需要获得参会资助声明等。报名截止日期和时间: 2006 年 5 月 14 日下午 6 点。报名需要获得组织者确认邀请,才能参加本次会议。

报名可以通过传真、电子邮件、普通邮件(以邮件收到时间算)和电话。

报名联系人: 赵珂、杨阳、舒文明、梁艳艳

联系电话: 010-88114652 转 810、809、811,010-88142132

传真: 010-88114683, 010-88142133

电子信箱: policy@aizhi.org,抄送 aizhixing@aizhi.org 和 aizhiaction@hotmail.com

承办单位: 北京爱知行研究所

承办单位地址: 北京市海淀区阜城路 115 号丰裕写字楼 A 座 173 号

本次会议对草根组织的界定:

- 1、可以是注册的组织,也可以是没有注册的组织;如果是注册的组织,可以是在民政部门注册的组织,也可以是在工商部门注册、但主要从事非营利活动的公益组织,或在政府其他部门注册的组织;
 - 2、在中国从事艾滋病、结核病和疟疾防治的工作;
- 3、非政府性:不是由政府部门创办的社会团体、民办非企业单位或基金会等,而是民间人士独立发展起来的;
 - 4、从事非营利性工作;
 - 5、在中国成立的以社区为基础的组织或其它非政府组织,通常称为草根组织:
- 6、独立性:组织不是某个组织的下属或分支组织或项目。独立性主要体现在组织的负责人来自一线社群工作的主要责任人,而不是由上级组织委派。组织决策是独立的。
- 1) 宗教相关的组织: 宗教组织本身不符合本次会议对草根组织的定义, 但是宗教组织或教友们创办的在中国从事艾滋病、结核病和疟疾防控的工作公益性组织符合本次会议的定义;
- 2) 医院或卫生部门相关的组织:无论是公办医院或私家医院,不符合本次会议对草根组织的定义;如果是医院或卫生部门创办的病人关怀项目或目标社群工作项目,即便是注册了,不符合本次会议对草根组织的定义;如果是病人支持组织或社群工作组织挂靠在医院或卫生部门,符合本次会议对草根组织的定义;
- 7、大学和官办社会科学研究院(所)下设的机构或成立的组织不符合本次会议对草根组织的定义:
- 8、依靠网站开展工作,但具备组织形态、经常开展实体性活动的,可以作为草根组织参加本次会议。

与会代表对某个或某些参会组织资格有怀疑者,可以在会议开始后进行讨论。

会议组织者对参会资格有解释权。对组织者们不熟悉的组织,组织者有权要求相关报名组织提供更多的材料。

关于资助的说明

- 1、会议代表将统一安排在会议组织者安排的旅店:住在其他旅店的代表,其旅店费用自理;
- 2、会议组织者为每位会议代表提供50元/天的补助;会议结束前一天发放;
- 3、交通补助:
- 1)会议组织者鼓励有经济条件的组织和个人自费或自筹资金参加本次会议;
- 2) 乘坐汽车的,报销实际发生的坐票或卧票;
- 3) 乘坐火车的,时间在 12 小时内的,乘坐票;时间在 12 小时以上的,乘卧票,有硬卧的需要乘硬卧;时间在 48 小时以上的,可以乘坐单程飞机和单程火车卧票;
- 4)如果飞机票和硬卧票价格相差不大的,可以乘坐飞机;飞机票价格不得超过硬卧票价格的120%;
 - 5) 路途转乘交通工具的,需要做出说明;路途转车的旅店费用不报销;
 - 4、通讯费不报销;
 - 5、需要资助的参会组织需要在报名表上予以说明;
 - 6、有特殊需要和情况,可以提出特别的说明和资助申请。

关于健康问题

会议组织者建议每个组织参会人员需要自己购买医疗保险和意外保险、携带必要的药物、对相关健康状况需要会务组知晓的需要事先说明。会务组将安排必要的医护人员参会,并对出现的健康危机予以救援,但是会议组织者不承担与会者因医疗和意外情况所需要的各项费用。

召集人: 陆军、万延海 承办单位: 北京爱知行研究所 2006年5月6日

全国草根非政府组织全球基金研讨协商会报名表

组织名称(如果注册的组织,请注明组织注册名称)

组织所在地(如果注册的组织,请注明组织注册地)

组织成立时间(如果注册的组织,请另外注明注册时间)

有无挂靠单位? (如果注册的组织,请说明主管单位)

组织负责人姓名(如果注册的组织,请说明法人代表)

身份证明(如果是注册组织,提供注册编号;如果是未注册组织,提供负责人身份证号码)

组织通信地址 组织电话 组织传真 组织电子信箱 组织网站

代表组织参会者姓名(必须提供真实姓名) 参会者化名 参会者电话

参会者手机 参会者传真 参会者电子信箱

其它希望会务组了解的信息,比如饮食习惯 是否需要资助?

关于本组织独立性、非政府性和非营利性的声明

全国草根非政府组织全球基金研讨协商会组委会:

本组织不隶属于任何其它组织,本组织不隶属于政府部门,本组织管理层和常务工作人员无政府在职在编人员,本组织不隶属于大学和官方社会科学研究机构,本组织不隶属于医院或某个卫生机构,本组织是一个从事艾滋病、结核病或疟疾防治工作的非营利性组织。特此声明,并报名参加全国草根非政府组织全球基金研讨协商会。

组织名称 负责人签名 签字时间

关于"全国草根非政府组织全球基金研讨协商会"期间举办各种 卫星会议的通知

"全国草根非政府组织全球基金研讨协商会"组委会 2006年5月7日发布

全国草根非政府组织全球基金研讨协商会议将在 2006 年 5 月 16-20 日在北京召开。在此期间,我们鼓励各个参会的草根组织充分利用好会议期间各地组织广泛参会的机会,召开各种小型会议和卫星会议,讨论各自关心的问题,并提出不同组织在会议上希望表达的意见。我们也鼓励人们在会议之前对本次会议相关议题进行广泛讨论,并递交会议作为参考。如果人们自行安排各种小型会议和卫星会议,我们很欢迎。如果人们需要会务组提供协助,会务组可以帮助安排 5 月 15 日举行各种小型会议和卫星会议。需要租借会议室或饭店套房的,请事先予以说明。会务组负责承担会议室安排相关费用和卫线会议与会代表提前一天到会的

住宿费用。我们鼓励人们筹集经费用于卫星会议需要的其他开支。卫星会议会务由卫星会议 组织者承担。我们鼓励人们利用晚上召开各种社群会议,提出自己对相关问题的看法,并提 交给大会。我们鼓励人们组织各种候选人自己召集的竞选会议。

卫星会议申请可以通过传真和电子邮件。

报名联系人: 赵珂、杨阳、舒文明、梁艳艳

联系电话: 010-88114652 转 810、809、811, 010-88142132

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关于"全国草根非政府组织全球基金研讨协商会"参会资格和中国全球基金国家协调委员会"以社区为基础组织或其它非政府组织"(草根组织)类别组代表选举选民资格的说明

"全国草根非政府组织全球基金研讨协商会"组委会 2006年5月7日发布

全国草根非政府组织全球基金研讨协商会议将于 2006 年 5 月 16-20 日在北京召开。目的在于建立中国草根组织的网络和协商机制,组织中国全球基金项目国家协调委员会(CCM)工作于上述三种疾病的中国草根组织代表和列席代表的选举;

在会议通知中(参见: http://www.aizhi.net/index.asp?action=article_Show&ArticleID=675),对草根组织的性质界定和参会资格予以了说明,如下:任何工作于艾滋病、结核病和疟疾的草根组织可以报名参加本次会议。报名者需要递交参会报名表、签署组织独立性、非政府性和非营利性声明、是否需要获得参会资助声明等。报名截止日期和时间:2006年5月14日下午6点。报名需要获得组织者确认邀请,才能参加本次会议。

虽然我们支持任何有意愿参加本次会议的草根组织与会,但是我们需要说明的是,并非所有参加本次会议的组织将有资格参加中国全球基金 CCM 草根组织代表和列席代表的选举过程。与会代表对某个或某些参会组织资格有怀疑者,可以在会议开始后进行讨论。本次会议上,将对选民资格(对 CCM 草根组织代表和列席代表选举有选举权、被选举权和表决权)进行充分的讨论,现场确定本次会议将要实行的选民资格认定的标准,随后在参会组织中现场进行选民登记,进行代表和列席代表的候选人登记,候选人们举行现场的演讲,发表承诺,最后组织代表和列席代表的选举。

本次会议代表选举的流程是:

- 1、 各个组织报名参加本次会议;会议组织者对参会资格有解释权。对组织者们不熟悉的组织, 组织者有权要求相关报名组织提供更多的材料。
- 2、 受邀组织来到会议现场报到,参加本次会议;与会代表对某个或某些参会组织资格有怀疑者,可以在会议开始后进行讨论。
- 3、 与会组织代表将接受一天的关于民主议事规则和选举的培训。
- 4、 与会代表讨论并明确中国全球基金 CCM 草根组织代表和列席代表的工作职责、对能力和品质的要求、需要递交的各项组织和个人材料、CCM 代表和列席代表与全国各地草根组织(选民)交

流的机制、各地草根组织通过 CCM 草根组织代表表达意见的方式等。

- 5、 与会代表对选民资格(对 CCM 草根组织代表和列席代表选举有选举权、被选举权和表决权的 草根组织)进行讨论和界定。
- 6、 与会代表讨论和确定选举规则。
- 7、 进行选民登记。
- 8、 进行 CCM 草根组织代表和列席代表候选人登记。
- 9、 候选人发表竞选承诺报告和演讲,候选人组织各种交流活动。候选人和选民进行互动。
- 10、 举行选举。
- 11、 向 CCM 秘书处报告选举结果。

希望各地草根组织对本次会议的相关参会资格和选民资格进行讨论。

全国草根非政府组织全球基金研讨协商会 发起、筹备工作介绍

2006年3月27日,中国全球基金项目国家协调委员会(CCM)特别工作组会议决定各类别组选举自2006年3月30日起开始。2006年4月10日,CCM秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",声明本类别组选举者和被选举者需在中国合法注册。4月21日,26个非政府组织和22位公民发布了关于全球基金中国国家协调委员会改革相关章程和分类别选举组织方式的若干意见,提出了质疑意见。2006年4月24日,CCM秘书处发布通知,称截至4月22日,报名参加本类别组组织有16个。2006年4月27日,CCM秘书处北京召开该类别组选举会议,一共有18个组织参加了这次会议。

2006年5月6日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳兰文化传播中心、武汉馨缘工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和天津市血友病联谊会等9个组织共同发出"关于召开全国草根非政府组织全球基金研讨协商会的通知",目的在于组织全球基金中国国家协调委员会中工作于上述三种疾病草根非政府组织代表和列席代表的选举,建立中国草根组织的网络和协商机制。本次会议由组委会委托北京爱知行研究所承办,组委会成员为:陆军、常坤、冰蓝、李喜阁、万延海、王立新,会议召集人为陆军和万延海。

注:关于本次会议组委会立场说明,需要由召集人和组委会成员协商后,由召集人对外发布;重要事项,以书面意见为准。组委会一般成员对外言论不代表组委会立场。

自5月6日会议通知发出以来,组委会主要在以下几方面展开工作:

一、将会议通知广泛发布。

组委会通过网站、邮件、邮件组、电话、传真等多种方式将会议通知进行了广泛地、开放地发布。从报名情况来看,我们的会议通知在草根组织组别内被广为知晓。

二、接受参会组织的报名。

截至 5 月 14 日下午 6 时,报名参会及电话咨询报名事项的组织超过了 90 个,递交报名表的组织达 85 个。组委会共确认了 76 个组织的参会资格。9 个组织的报名资格未得到组委会的确认。

这 9 个组织中,其中有两个组织未被确认的原因是缺乏完整的报名程序和报名信息;另两个组织未被确认是由于他们不是一个独立的组织,不符合组委会"对草根组织的界定"第 6 条;另一个组织未被确认是由于他们未开展实体性活动,不符合组委会"对草根组织的界定"第 8 条;另一个组织未被确认是由于他们尚未开展三种疾病的相关工作,不符合组委会"对草根组织的界定"第 2 条;另一个组织未被确认是由于无法和该组织取得联系,无法确认其组织性质;另一个组织未被确认是由于经查询,组织负责人并不知晓本次报名,协商后,放弃参会;还有一个组织未被确认是由于未提交关于

组织独立性、非政府性和非营利性声明。

三、准备相关文件。

在会议筹备期间,组委会收集、整理了全球基金概况及 ccm 选举相关规定和相关研究报告,并作为会议的背景资料印发给大家。同时,组委会还草拟了一些相关议题的讨论文稿,供会议代表参考、讨论。

四、会务工作(由工作人员进行汇报)

全国草根非政府组织全球基金研讨协商会组委会 2006 年 5 月 16 日

欢迎词

尊敬的各位参会代表:

五月的北京,风和日丽,繁花似锦。在这个美丽的季节,各位来自全国各地艾滋病等三种疾病防治第一线的草根组织同仁们聚集一堂,研讨协商大家共同关注的问题。在此,我们组委会全体工作人员,向您的到来表示最热烈的欢迎!

举行本次全国草根非政府组织全球基金研讨协商会的主要目的之一,是为了促进草根组织对全球基金更充分的参与,研讨解决中国全球基金 ccm 草根组织组别代表选举问题。众所周知,全球基金在中国的艾滋病等三种疾病防治事业中已经开始起着越来越重要的作用,全球基金的大量资金无偿、无附加政治条件地投入我国,将大大推动我国艾滋病等三种疾病的防治工作,挽救无数人的生命,大大改善艾滋病等三种疾病感染者的生存状况。草根组织的积极参与,是全球基金的要求,也是草根组织义不容辞的责任与义务。中国全球基金 ccm 草根组织组别代表选举,是草根组织参与全球基金的重要方面,草根组织应该更深入、更充分的参与其中,进行真正透明的、有记录的、由草根组织自己决定的选举。

举行本次全国草根非政府组织全球基金研讨协商会的另一主要目的,是协商如何增进草根组织间的相互协作,建立我国草根组织的工作网络和协商机制。我们这些基于各个工作侧重点和各个层面上发展起来的草根组织,如果能够更密切地进行协作,势必将使得我们各自所掌握的资源得到更有效的利用,也势必将使得我们每一个草根组织在工作中获得更多的来自同道者的援助,同时,也将使得我们草根组织的共同立场、诉求和所发挥的作用在整个国家的艾滋病等三种疾病的防治事业中更加不被轻视。个人、组织在全国和地区等各个层次上进行网络化,是国际艾滋病运动中正在兴起的潮流,国际上已经有了很多成功的经验,是值得我们探讨和学习的工作方法之一。

草根组织之间共同的身份、共同的责任、共同的愿望,使得我们之间的共同语言远远超出我们各个组织之间的差异性,在上述两个关乎我们每一个组织的重要议题上,相信大家之间一定能够形成共识,找到妥善和合理的解决方案;同时,草根组织是艾滋病等三种疾病的防治工作中最贴近基层、最有活力、最富于责任感的力量,相信我们这次会议达成的成果一定能够大大推动我国艾滋病等三种疾病的防治工作!

最后,预祝本次会议圆满成功!

全国草根非政府组织全球基金研讨协商会组委会 2006 年 5 月 16 日

关于会场纪律的补充规则

各位代表自愿报名参加本次全国草根非政府组织全球基金研讨协商会,是为了研讨协商解决我们共同致力的艾滋病等三种疾病的防治事业中存在的问题,我们希望各位与会代表切实履行自己的责任与义务、珍惜并郑重对待参会机会,在会议期间,不要离开会场办理其他事务。

为了维护会场秩序,保障会议的更好进行,会议组委会经讨论制定如下补充规则,自 5 月 17 日起实行:

- 一、每天上午和下午的会议议程开始前,参会代表需要到会务工作人员处签到;
- 二、会议正式议程进行过程中,参会代表因故离场需要到会务工作人员处登记请假,回 到会场后需要向会务工作人员处销假;
- 三、自5月17日计算,至5月20日,对于缺席会议时间达到会议正式议程四分之一的代表,组委会将不会报销其回程路费,并取消发放其会议补助。

全国草根非政府组织全球基金研讨协商会组委会 2006年5月17日

邀请参会的组织名单

康乐家 浙江同志爱心工作组 天津深蓝同志关爱小组 爱之园 贵阳云岩黔缘健康咨询中心 大连彩虹工作组 同心大连健康公益网 新疆雪莲花艾滋病教研项目组织 山东彩虹工作组 贵州 HIV/AIDS 中途之家 山西省新绛县彩虹自助小组 北京知爱行信息咨询中心 黑龙江心相印红丝带志愿者工作组 湖北省南漳县挚友促进会 河南省西华具艾岗乡半截楼村志愿者协会 江西省血友病联谊会/江西血友网站 中国血友之家 苏州共享阳光关怀互助小组 河南公益先锋工作组 全国输血感染艾滋病受害者工作委员会 中国青年艾滋病网络 宁夏绿洲工作组 江苏血友之家,徐州爱之友志愿者服务队

遂平具感染者互助组织

"黑土"组织 安徽血友病联谊会 大连同天健康公益网 山东省血友病病友联谊会 艾滋协会 丹江志爱工作组 北京东珍纳兰文化传播中心 山西芮城县红十字会基层工作站 爱白文化教育中心 山东省菏泽市弱势群体救助中心 山西省夏县幸福家园小组 信阳青竹感染者自助组织 彩缘新疆同志工作组 武汉罄缘工作组 公民健康状况与受教育权工作组 鞍山好兄弟工作组 大连阳光健康促进协会 山西省迎春花互助小组 河北省向日葵工作组 THEBOY 文化机构 黑龙江康同工作组 申桥乡感染者互助组 太康县感染者互助组 "美丽人生"HIV 感染者互助会 江西省同志关爱小组 红蜡烛感染者组织 吉林市艾滋病关爱协会 黑龙江"关爱知家" 郑州关爱之家 中华红丝带网站 松花江家园 山东省菏泽市民间艾滋病宣防中心 血艾小组

睢县爱心互助组 公民家园 红丝带思恩会 上海同心工作组 红树林畔联驿站 河南省艾滋病受害者协会 菏泽市牡丹区红丝带关爱小组

天津市血友病联谊会 菏泽市血友病联谊会 沈阳阳光工作组 兰州阳光关爱小组

牡丹家园

成都卫生科学管理促进会 尉氏县邢庄乡艾滋病救助协会 云南七彩天空工作组 西安同志工作组 尉氏县红丝带协会 柘成县爱滋病防治民间促进会

红树林支持组织

到会组织名单

康乐家

浙江同志爱心工作组 天津深蓝同志关爱小组

爱之园

贵阳云岩黔缘健康咨询中心

大连彩虹工作组

同心大连健康公益网

新疆雪莲花艾滋病教研项目组织

山东彩虹工作组

贵州 HIV/AIDS 中途之家 山西省新绛县彩虹自助小组 北京知爱行信息咨询中心 湖北省南漳县挚友促进会

河南省西华县艾岗乡半截楼村志愿者协会

江西省血友病联谊会/江西血友网站

苏州共享阳光关怀互助小组

全国输血感染艾滋病受害者工作委员会

中国青年艾滋病网络

宁夏绿洲工作组

徐州爱之友志愿者服务队 遂平县感染者互助组织 江西省同志关爱小组 红蜡烛感染者组织

吉林市艾滋病关爱协会

大连同天健康公益网

山东省血友病病友联谊会

艾滋协会

丹江志爱工作组

北京东珍纳兰文化传播中心

山西芮城县红十字会基层工作站

爱白文化教育中心

山东省菏泽市弱势群体救助中心

山西省夏县幸福家园小组 信阳青竹感染者自助组织

彩缘新疆同志工作组

武汉馨缘工作组

公民健康状况与受教育权工作组

鞍山好兄弟工作组 山西省迎春花互助小组 河北省向日葵工作组 THEBOY 文化机构

黑龙江康同工作组

申桥乡感染者互助组

太康县感染者互助组

"美丽人生"HIV 感染者互助会 河南省艾滋病受害者协会

菏泽市牡丹区红丝带关爱小组

天津市血友病联谊会

黑龙江"关爱知家"

中华红丝带网站

松花江家园

山东省菏泽市民间艾滋病宣防中心

血艾小组

睢县爱心互助组

公民家园

红丝带思恩会

上海同心工作组

红树林畔联驿站

安徽血友病联谊会

菏泽市血友病联谊会

沈阳阳光工作组

兰州阳光关爱小组

牡丹家园

尉氏县邢庄乡艾滋病救助协会

云南七彩天空工作组

西安同志工作组

尉氏县红丝带协会

柘成县爱滋病防治民间促进会

红树林支持组织

全国草根非政府组织全球基金研讨协商会会议记录 2006 年 5 月 16 日

- 9: 00 上午会议开始
- 1、江晖宣布会议开始,并宣读会议注意事项
- 2、陆军介绍本次会议的发起、组织、准备工作和报名情况
- 3、万延海作会务工作介绍
- 4、李云军介绍会议食宿、补助、报销注意事项
- 5、强正富介绍全球基金和全球基金中国项目,以及中国 CCM 改革的基本情况
- 10:45 休会
- 11: 00
- 6、星星作议事规则培训
- 12: 00 上午会议结束
- 13: 30 下午会议开始
- 7、陆军代表会务组对会务相关问题作出说明:
- ① 组委会关于北京地区参会代表的报销规定
- ② 组委会和会务组的成员禁止接受参会代表的礼品
- ③ 组委会从5月17日起将对参会代表的参会情况进行严格的签到。
- 13: 40
- 8、星星重申上午培训要点
- 9、全体参会代表模拟演练运用议事规则开会
- 16: 10 休会
- 16: 25
- 10、全体参会代表就会议时间的调整问题进行讨论,经过表决以 30 票同意,16 票反对通过决议:从5 月 17 日起,每天下午的开会时间调整为 14:00-18:00
- 11、全体参会代表就会议主持人的选举问题进行讨论,确定了7位候选人:万延海、陆军、彭茂林、王立新、林风、王龙、王泳。经过表决,以48票赞成,3票反对通过了万延海、陆军担任会议主持人;以4票赞成,22票反对否决了王泳担任会议主持人;根据不宜有过多的组委会成员担任主持人的理由,否决了组委会成员王立新担任会议主持人;最终确定了5位主持人:陆军、万延海、彭茂林、林风、王龙。

- 12、全体参会代表就相关利益冲突的回避问题做了一般性的讨论。
- 18: 45 下午会议结束

全国草根非政府组织全球基金研讨协商会会议记录

2006年5月17日

9: 00

林风宣布会议开始

王龙宣读组委会 16 日晚讨论产生的会议规则。

9: 05

记录员宣读 16 日会议记录,与会代表对此没有异议,会议记录通过。

9. 10

万延海介绍全球基金及全球基金中国国家协调委员会操作规则相关问题。

9. 40

陆军介绍全球基金中国国家协调委员会相关选举问题,指出了其选举规则与选举程序中的违规情况。

10, 00

万延海介绍全国草根组织全球基金研讨会组委会和沈阳爱之援助的交流过程。

10: 15

分组讨论草根组织参与全球基金的方式,草根组织代表和他所在组织分别需要具备怎样的品格要求,以及选举方法。

- 11: 25 各小组汇报讨论意见
- 12: 00 上午会议结束

14: 10

下午会议开始

组委会成员陆军对有关会议合法性的疑问进行解释说明

组委会对媒体采访问题征求与会者意见,大家表示同意接受采访

组委会对于候选人的职责、能力品质要求等,再次征求与会者意见

组委会介绍可能的选举方案

14: 53

新参会人员:路透社记者,观察员:许志勇

15: 00 休会

15: 25

组委会万延海解释不同的选举方案

1. 对选举计票方式和选举方案进行讨论和表决

讨论: 简单多数当选还是投票人半数以上当选

动议 1: 代表选举采取所有投票人数的半数以上

同意 54 票 反对 1 票 动议通过

2. 对正式代表的产生方式进行讨论和表决

动议 2: 正式代表候选人由登记选民直接报名参选

同意 46 票 反对 5 票 动议通过

3. 对列席代表的产生方式进行讨论和表决

方案一、列席代表由登记选民推举的 12 组织+1 个正式代表所形成的代表团推选或推举产生。

方案二、列席代表由全体登记选民直接产生

与会代表就两个方案的利弊进行辩论。

动议 3: 对上述两个方案进行表决

同意 41 票 反对 0 票 动议通过

动议 4: 同意方案一的投一次赞成票,同意方案二的投一次赞成票,票数多的通过

同意 49 票 反对 0 票 动议通过

动议 5: 同意方案一的投赞成票

赞成票 56票

动议 6: 同意方案二的投赞成票

赞成票 0票

第一种方案通过

4. 对 12 人代表团的产生方式进行讨论和表决

动议 7: 12 人代表团每个类别的 3 个代表自行讨论怎样产生代表,产生办法由各个类别自行决定同意 53 票 反对 0 票 动议通过。

5. 参选组织标准的讨论与表决

动议 8: 所有参会组织都具有获得选民资格的权利。

同意 36 票 反对 18 票

经过讨论与会代表认为此动议不符合程序,提出新的动议。

动议 9: 在 2006 年 3 月 30 日之前成立的参会组织有权利获得选民资格。

赞成: 41 票 反对: 0 票 动议通过

18: 25

与会代表填写选民登记表

18: 45

确定选举委员会成员。

原则: 放弃候选人资格的组织才能进入选举委员会。

组委会成员王立新、李喜阁、常坤、陆军因其所在组织决定报名候选人,宣布不成为选举委员会成语。 林风、万延海、毛磊、常鹏、孙玉伟报名成为选举委员会委员。

与会代表没有异议,一致同意通过。

19: 00 会议结束

全国草根非政府组织全球基金研讨协商会会议记录

2006年5月18日

9:00 会议开始

1. 对 17 日会议记录的确认

记录员宣读会议记录,与会代表确认记录。有代表对选举委员会"无异议一致通过"提出异议,记录修改为"无异议",删除"一致通过"。代表对此无异议。

2. 选民资格登记表的回收

主持人孙玉伟说明: 递交候选人报名表的截止时间是 10:00。

江西血友病联谊会代表说明因为身体原因延误递交选民登记表,请求获得选民资格。

动议:承认江西血友联谊会代表的选民资格

同意 38 票 反对 0 票 动议通过

3. 全体与会者选民身份确认

主持人孙玉伟宣读选民登记表回收情况: 59 张 增补 1 张 共 60 张 全部有效 主持人彭茂林宣读候选人名单

全体选民根据屏幕上显示的名单,逐字确认登记信息。

4. 讨论承诺书(讨论稿)

委员会委托陆军宣读承诺书草稿

与会代表就承诺书进行讨论

9:55休会

10: 10

- 5. 选举相关问题和注意事项
- A. 王泳介绍选举相关技术问题
- B. 万延海对选举过程中一些观念进行解释
- C. 王泳介绍选举过程注意事项

候选人为8人,每人陈述6分钟,选民提问4分钟。陈述次序随机抽取。

6. 候选人陈述,由选民抽取候选人顺序

第一位陈述候选人 新疆雪莲花艾滋病椒盐项目组织 常坤

第二位陈述候选人 徐州市爱之友志愿者服务队 尹仲春 自愿放弃竞选

第三位陈述候选人 山西芮城县红十字会基层工作站 张志军

第四位陈述候选人 公民健康状况与受教育权工作组 田大玮

第五位陈述候选人 河南宁陵县康乐家 李喜阁

第六位陈述候选人 山东血友联谊会 韩吉亮 自愿放弃竞选。

第七位陈述候选人 山西迎春花 张虎林 自愿放弃竞选

第八位陈述候选人 天津血友联谊会 王立新

7. 山西芮城县红十字会基层工作站负责人就该组织名称所涉及的参会资格问题接受主持人万延海的 质询

12: 05 休会

14: 00 下午会议开始

继续会议事项七的讨论,选举委员会经讨论后决定:确认山西芮城县红十字会基层工作站的选民资格 8. 第一轮选举

14: 20

第一项 发放选票

第二项 选票的填写方法和投票方法

观察员王泳介绍选举规则:

在第一轮选举中,选民可以选一个或两个人候选人,但不能选第三个;得票最高的两位候选人进入第二轮选举;如果得票第二和第三的候选人票数相同,则与得票第一的候选人一起进入第二轮,三人进行第二轮竞选,得票最高的两人进入第三轮,最终要通过两对决对决的形式选出胜者。

主持人说明:

投票至投票箱时,投票人说明来自的组织,避免一个组织重复投票或未经认可的组织投票。选票是无记名,选票上只能有两个以下规定标记;如有其它标记或文字,并影响到意愿表达,都视为废票。

第三项 介绍投票和计票过程中的工作人员

唱票 选委会林风

记录人员 工作人员赵珂 组委会陆军

监票人 与会代表 (除候选人) 推荐或自荐 2 人

摄像人 黄海涛

第四项 林风展示选票箱, 当众封箱。

第五项 选民填写选票

14: 45 休会。

15: 05

第六项 产生监票员

张虎林(自荐)、安然(被推荐)

15: 07

第七项 投票

监票人先投票;监票人和主持人以外的投票人按照现场座次方位依次投票(投票时,每个投票人先报 名组织全称,由记录人赵珂与两名监票人按照名单确认后,投入投票箱);主持人投票。

15: 20 投票结束

第八项 开箱 理票

唱票人在监票人监督下 开启票箱

唱票人查点票总数,监票人监督,其他人保持距离。

选委会工作人员: 共合法选民 60 名, 共回收 60 张选票

监票人宣读有效名单中的组织数量

15: 30

第九项 唱票 计票

15: 40 唱票结束

唱票人统计并宣读有效选票和废票数量

有效票 57 张 废票 3 张

第十项 选票封存仪式——监票人

(监票人现场展示档案袋,将选票装入,胶带封存,在档案袋上签字)

第十一项 本轮投票结果 ——宣读人 记录员 赵珂

田大玮 11 票 王立新 19 票 张志军 5 票 常坤 28 票 李喜阁 16 票

9. 第二轮选举

两位候选人发表竞选演说,每人三分钟

候选人王立新演说

候选人常坤演说

16: 10 发放第二轮选票 休会

16: 25 第二轮投票开始 (程序同第一轮投票)

监票人: 山东彩虹工作组 牧羊 申洁勇

观察员: 北京公盟研究室 研究员 李玉洁

16: 40 投票结束

理票

点票

唱票

计票: 王立新 28 票 常坤 25 票

共60 张票 有效票53 张 废票7张

票]

选委会宣布: 天津血友联谊会当选全球基金中国国家协调委员会草根组织类别组正式代表。 当选代表与其他参选代表分别致词

17: 10 代表选举过程结束

10. 关于列席代表产生的讨论和 12 人代表团的推举

17: 25

四个类别组分别协商推举列席代表。

18. 07

四个类别组分别宣读推举结果,并简要解释原因。

同志组织类别: 大连彩虹工作组、武汉馨缘工作组、彩缘新疆工作组

以血友病为主的在全球基金三个疾病中工作的组织:南京爱之园、山东血友病联谊会、安徽省血友病 联谊会

以艾滋病病毒关怀为主的在全球基金三个疾病中工作的组织:河南宁陵县康乐家、河南柘城县艾滋病 防治促进会、山西迎春花小组

其他类在全球基金三个疾病中工作的组织:新疆雪莲花艾滋病教研项目组织、北京知爱行信息咨询中心、山东菏泽民间弱势群体救助中心

与会者对上述结果无异议。

18: 35 结束会

全国草根非政府组织全球基金研讨协商会 中国全球基金 CCM 以社区为基础的组织或其他非政府组织 成员代表组别选民登记表

组织名称	
组织负责人姓名	
组织参会代表姓名	
组织成立时间 (年,月,日)	
组织的工作领域 (可多选)	□艾滋病
	□结核病
	□疟疾
是否收到了组委会发出的 参会确认通知	□ 是 □ 否

填写人签名	
填写日期	

获得选民资格的组织名单

中国青年艾滋病网络 兰州市阳光关爱小组 山西省新绛县彩虹自助小组 河南艾滋病受害者小组 山东彩虹工作组 红树林畔联驿站 河南省尉氏县刑庄乡艾滋病救助协会 天津血友病联谊会 公民家园 青竹林感染者自助组织 山东省菏泽市牡丹区"红丝带关爱小组" 北京东珍纳兰文化传播中心 黑龙江志爱工作组(牡丹江) 河南省宁陵县康乐家 大连彩虹工作组 武汉馨缘工作组 安徽省血友病联谊会 徐州市爱之友志愿者服务队 山东省血友病病友联谊会 全国输血及血液制品感染, HIV 及病毒 性肝炎感染者委员会 河南省民权县艾滋病协会 大连同天 公民健康状况与受教育权工作组 上海同心工作组 血艾小组 南京爱之园 共享阳光关怀互助小组 荷泽民间弱势群体救助中心 山东省荷泽血友病 山西闻喜迎春花小组

江西省血友病联谊会

毛庄镇艾滋病互助组 河南省西华县艾岗乡半截麦志愿者协会 牡丹之家互助小组 新疆雪莲花艾滋病教研项目组织 红蜡烛感染者小组 美丽人生 HIV 感染者互助组 湖北省南漳县挚友促进会 贵州市 HIV/AIDS 中途之家 北京知爱行信息咨询中心 河北省向日葵工作组 The Boy 文化机构 沈阳阳光工作组 同心大连健康公益 柘城县艾滋病防治民间促进会 河南省开封市尉氏县红丝带协会 浙江同志工作组 河南省宁陵县思恩会

江西省同志关爱小组 黑龙江省北安关爱知家 吉林"松花江家园" 吉林市艾滋病关爱协会 河南省睢县爱心互助组 申桥乡艾滋病互助组 河南省遂平具感染者互助组织 山西省芮城县红十字会基层工作站 彩缘新疆同志工作组 云南七彩天空工作组 红树林感染者支持组织 天津深蓝同志关爱小组

全球基金中国 CCM 以社区为基础的组织或其它非政府组织代表 候选组织报名表

组织名称					创建时 间	年	月	日
	固定电话				手机			
组织联系	传真				电子邮 件			
方式	通讯地址							
	邮政编码				联系人			
	注册名称							
注册情况	注册机构							
	注册号				法人代 表			
组织工作病和	中(可多选)	□艾滋タ		病	□结核病 □疟痰		 :疾	
负责人 姓名				性别		民族		
本组织既往 在艾滋病、 结核病或疟 疾领域工作 简述								
	简述你对于 金 CCM 及 来发展的想法	它的未						
本类别候选 组织代表	谈一下你所 根非政府组 球基金之间的	织与全						
	谈一谈你达 些具体标准, 了哪些能力, 够参与 CCM 作	或具备 使您能						

参加候选人报名的组织名单

候选组织名称	代表姓名
徐州市爱之友志愿者服务队	尹仲春
公民健康状况与受教育权工作组	田大玮
天津友爱家园(天津血友病联谊会)	王立新
山西迎春花小组	张虎林
山东省血友病病友联谊会	韩吉亮
山西省芮城县红十字会基层工作站	张志军
新疆雪莲花艾滋病教研项目组织	常坤
河南省宁陵康乐家	李喜阁

全国草根非政府组织全球基金研讨协商会 中国全球基金 CCM 以社区为基础的组织或其他非政府组织 成员代表选举选票(第一轮)

候选组织名称	代表姓名	同意请打√或者划○
公民健康状况与受教育权 工作组	田大玮	
天津友爱家园 (天津血友病联谊会)	王立新	
山西省芮城县 红十字会基层工作站	张志军	
新疆雪莲花 艾滋病教研项目组织	常坤	
河南省宁陵康乐家	李喜阁	

全国草根非政府组织全球基金研讨协商会 中国全球基金 CCM 以社区为基础的组织或其他非政府组织 成员代表选举选票(第二轮)

候选组织名称	代表姓名	同意请打√或者划○
天津友爱家园 (天津血友病联谊会)	王立新	
新疆雪莲花 艾滋病教研项目组织	常坤	

中国全球基金 CCM 以社区为基础的组织或其他非政府组织成员 代表团成员名单

正式代表: 天津友爱家园(天津血友病联谊会)

列席代表: 武汉馨缘工作组

北京知爱行信息咨询中心

感染者组织类别代表:河南省宁陵县康乐家

山西省迎春花小组

河南柘城县艾滋病防治民间促进会(感染者组织类别联络员)

同志组织类别代表: 彩缘新疆同志工作组

大连彩虹工作组(同志组织类别联络员)

血友病组织类别代表:南京爱之园

安徽省血友病联谊会

山东省血友病联谊会(血友病组织类别联络员)

其他组织类别代表: 山东菏泽民间弱势群体救助中心

新疆雪莲花艾滋病教研项目组织(其他组织类别联络员,总联络员)

全国草根非政府组织全球基金研讨协商会 中国全球基金项目 CCM 以社区为基础组织或其他非政府组织(简称草根组织) 类别组(选区)代表和列席代表选举报告

2006年5月6日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳兰文化传播中心、武汉馨缘工作组工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和天津市血友病联谊会等9个组织共同发出"关于召开全国草根非政府组织全球基金研讨协商会的通知",目的在于组织全球基金中国国家协调委员会中工作于上述三种疾病草根非政府组织代表和列席代表的选举,建立中国草根组织的网络和协商机制。本次会议由组委会委托北京爱知行研究所承办,组委会成员为:陆军、常坤、冰蓝、李喜阁、万延海、王立新,会议召集人为陆军和万延海。

自5月6日起,组委会通过网站、邮件、邮件组、电话、传真等多种方式将会议通知进行了广泛地、开放地发布。截至5月14日下午6时,共有85个组织递交了报名表。组委会共确认了76个组织的参会资格。9个组织的报名资格未得到组委会的确认。

- 5月16日,会议在北京正式召开。70个获得参会资格的组织参加了本次会议。6个获得参会资格的组织未参加。
- 5月17日,与会代表经过充分的讨论、辩论和民主投票表决确定了选举程序和选举方案,并成立了选举委员会。选举方案如下:正式代表由登记选民直接选举产生,列席代表由工作在艾滋病、结核病、疟疾三种疾病的感染者组织类别、血友病组织类别、同志组织类别和其他类别分别推选或选举出3名代表组成的12人组织代表团推选或选举产生,代表的产生方式则由各类别成员自己决定。选举委员会由常鹏、林风、万延海、孙玉伟、毛岭5人组成。
- 5月18日,60个参会组织递交了选民登记表,经选举委员会确认,这60个组织全部获得了选民资格。8个参会组织递交了候选人登记表。

选举采用两轮选举的方式。在第一轮选举中,每位登记选民在候选人中选举1名或2名,得票最高的两名候选人进入第二轮选举。在第二轮选举中,每位登记选民选举1名候选人,得票数超过投票人半数以上的候选人当选,弃权票不计。

公民健康状况与受教育权工作组,天津血友病联谊会,山西省芮城县红十字会基层工作站,新疆雪莲花艾滋病教研项目组织,河南省宁陵县康乐家 5 位候选人参与了第一轮选举,3 名候选人自愿退出了选举。在第一轮选举中,60 名登记选民全部进行了投票,选举委员会收到有效选票 57 张,得票前两名的新疆雪莲花艾滋病教研项目组织(28 票)和天津血友病联谊会(19 票)进入了第二轮选举。在第二轮选举中,60 名登记选民全部进行了投票,选举委员会收到了有效票 53 张,天津血友病联谊会获得了 28 票,新疆雪莲花艾滋病教研项目组织获得了 25 票。天津血友病联谊会被选举为正式代表。

正式代表选举结束后,四个类别的参会组织分别推选出了3名代表形成了12人的列席代表团。他们是: (感染者组织类别组)河南省宁陵县康乐家、山西省迎春花小组、河南柘城县艾滋病防治民间促进会; (同志组织类别组)武汉攀缘工作组、彩缘新疆、大连彩虹工作组; (血友病类别组)南京爱之园、安徽省血友病联谊会、山东血友病联谊会; (其他类别组)北京知爱行信息咨询中心、山东菏泽民间弱势群体救助中心、新疆雪莲花艾滋病教研项目组织。

5月19日,正式代表和列席代表团成员经过讨论协商,推选北京知爱行信息咨询中心和武汉馨缘工作组作为列席代表,河南柘城县艾滋病防治民间促进会、大连彩虹工作组、山东血友病联谊会和新疆雪莲花艾滋病教研项目组织为各类别组的联络员,新疆雪莲花艾滋病教研项目组织为总联络员。

正式代表当选后发布的《承诺宣言》

承 诺 宣 言

天津友爱家园(天津血友病联谊会)在全国草根非政府组织全球基金研讨协商会(北京 2006 年 5 月 18 日)当选为中国全球基金国家协调委员会(CCM)草根非政府组织组别代表,我们郑重作出如下承诺,并将履行如下职责和义务:

- 一、我们代表整个草根组织组别行使在国家协调委员会中的职权,而不是 代表我们自己的组织。我们在国家协调委员会中所发表的意见和所作出的投票表 决,所依据的将是草根组织组别成员总体的意见,而不是我们自己组织的意见;
- 二、我组织将及时地、毫不拖延地、毫无保留地将我们获得的非涉密全球基金相关信息通报给本组别列席代表、本组别代表团以及本组别全体成员;
- 三、我们将随时收集草根组织组别所有组织和目标人群的意见,并将寻求各种途径将这些意见在全球基金的各种参与场合予以表达;

四、在参与 CCM 会议前,我们将就 CCM 会上即将讨论的内容征求草根组织组别列席代表、代表团以及本组别全体成员意见,并依据本组别成员的总体意见在 CCM 会议上发表意见或投票表决;

五、我们将积极、主动、详细地汇报我们参与全球基金活动的情况,自觉接受草根组织组别列席代表、代表团以及本组别全体成员的监督;并将同大家一道进行筹款,全方面发展我们这项功在当代利在千秋的伟大事业;

六、我们将积极致力于尽快建立一个与 CCM 草根组织组别列席代表、代表团以及本组别全体成员之间的交流和协商的机制(或草根组织工作网络、联席会议),确保我组织获得的全球基金相关信息能够及时传递给草根组织组别所有成员;并且使得本组别列席代表、本组别代表团以及本组别全体成员的意见通过民主、透明程序得以表达;

七、我们将加强我们组织的制度化、民主化和透明化建设,每年向草根组织组别提供我们的年度报告和财务报告。

八、就我们在 CCM 中的工作,我们将每半年向草根组织组别述职一次;

九、我本人是一名自由职业者,主要从事英语家教和翻译工作,但我将安排 足够的工作时间、人力资源,为草根组织组别共同参与全球基金而工作;

十、虽然我是一名血友病患者,但我的身体完全可以胜任这份工作,请大家 放心。最后我愿向大家宣誓;为了履行我的职责,我将鞠躬尽瘁,无怨无悔,绝 不辜负大家的殷切希望。谢谢大家!

> 承诺者:天津友爱家园(天津血友病联谊会)会长:王立新 2006年5月18日

"中国艾滋病工作民间组织全国(工作网络)联席会议"机制成立

5月19日,由40个活跃于艾滋病防治领域的民间组织共同发起的"中国艾滋病工作民间组织全国(工作网络)联席会议"机制在北京正式成立。这将是一个在全国范围内发挥作用的艾滋工作民间组织的协商机制。

在中国的艾滋病防治工作中,民间组织发挥了重要的作用,而且将发挥越来越重要的作用。作为 民间组织自身,由于其固有的相对离散的特点,在相互之间的协商合作方面存在着一些需要予以加强 的方面,例如:相互之间的联系、信息通报和共享、彼此工作的领域的交叉。

在5月16日至20日召开的全国草根非政府组织全球基金研讨协商会上,来自全国各地的艾滋工作草根组织代表们讨论了上述存在的问题。与会代表认为,为了更好地开展工作,更好地为中国艾滋病防治事业做出贡献,民间组织之间非常有必要加强联系沟通、加强信息和经验的共享,协作互助,共同提高。这就需要民间组织之间能够有一个更加成熟的协商机制,从而满足新形势对民间组织的要求,增进团结协作。

5月19日,经过会议讨论协商,40个与会的民间组织决定共同发起设立"中国艾滋病工作民间组织全国(工作网络)联席会议"机制。会议制定了"中国艾滋病工作民间组织全国(工作网络)联席会议"机制框架文件,推举出了由9个组织组成的首届理事会。其中,同志类别组选举(推举)出两个组织担任理事,感染者类别组选举(推举)出两个组织担任理事,血友病类别组选举(推举)出两个组织担任理事,其他类别组选举(推举)出三个组织担任理事。深蓝同志关爱小组当选为理事会首任轮值主席。北京知爱行信息咨询中心被确定为首届轮值秘书处。

欢迎更多的在艾滋病领域工作的民间组织加入我们,加入方式详见附件一《中国艾滋病民间组织 全国(工作网络)联系会议基本框架》。

附一: 中国艾滋病民间组织全国(工作网络)联席会议基本框架

一、总则

- 1.艾滋病工作民间组织全国(工作网络)联席会议是中国从事艾滋病防治工作及相关工作的民间组织相互之间的协商机制。
- 2.基本目标:促进民间组织间的信息分享、经验交流、协作互助、增进团结减少分化,促进民间组织固守纯粹民间立场,捍卫民间组织共同的权利。
 - 3.基本原则: 开放、透明、平等协商、求同存异
- 4. (工作网络) 联席会议推举(选举) 理事会,由理事会负责召集会议及协调(工作网络) 联席会议运行机制。
 - 5.理事会组建秘书处,负责会议筹备及文件准备等工作。

二、(工作网络) 联席会议

1.成员

1.1发起成员

在《倡议设立"中国艾滋病工作民间组织全国(工作网络)联席会议"机制》的倡议书上签字并在 (工作网络)联席会议基本框架文件(或章程)上签字的组织,成为本(工作网络)联席会议的发起 方成员。

1.2一般成员

在本(工作网络)联席会议发起后申请加入的组织,获得五个以上(工作网络)联席会议成员的推荐,符合(工作网络)联席会议成员资格,经理事会审批即可加入本(工作网络)联席会议,成为(工作网络)联席会议一般成员。

1.3发起方成员和一般成员享有平等的权利和义务。

1.4任何五个成员联名可提出书面申请,对某一成员的成员资格提出质疑。此申请得到半数成员同意、或理事会三分之二多数同意即取消该成员资格。

2.年会

- 2.1艾滋病工作民间组织全国(工作网络)联席会议每年举行一次年会。
- 2.2年会主办方由理事会确定,主要议程由理事会草拟。
- 3.临时会议

理事会轮值主席认为有必要时,可以召集临时(工作网络)联席会议;过半数的理事认为有必要时,可以召集临时(工作网络)联席会议;三分之一以上(工作网络)联席会议成员认为有必要时,可以责成理事会召集临时(工作网络)联席会议。

- 4.年会及临时会议需有半数以上成员参加才能召开。至少半数成员进行表决时,其产生的决议方才 有效。
 - 5.会议表决采取简单多数通过原则。章程的修改采取三分之二多数原则。
- 6.在非会议期间,任何五个成员联名可以起草(工作网络)联席会议文件,文件经理事会表决三分之二多数通过、或经半数以上(工作网络)联席会议成员联署后即成为(工作网络)联席会议正式文件。(章程除外)

三、理事会

- 1. (工作网络)联席会议推举(或选举)9个成员单位组成理事会,由理事会负责召集(工作网络) 联席会议及协调(工作网络)联席会议运行机制。理事任期两年。可连选连任。
- 2.理事会9个成员单位由四个组别分别各自产生,四个组别名额分别为:感染者组织组别产生2个理事、血友病组织组别2个理事、同志组织组别产生2个理事、其他组织组别产生3个理事。
- 3.理事会设立主席席位,由9个理事单位轮值,轮值周期为三个月(依票数多少顺序、或理事会自行协商轮值顺序)
- 4.理事会负责召集(工作网络)联席会议及协调(工作网络)联席会议运行机制、建设(工作网络) 联席会议内部协作互助系统及信息交流沟通系统
 - 5.理事会主席负责召集理事会会议,负责督促秘书处工作

四、秘书处

- 1.秘书处由各个组织自由报名,由(工作网络)联席会议选举产生。
- 2. 秘书处任期为半年,连选连任的间隔至少为一年。
- 3. 在每届(工作网络)联席会议年会上,全体大会选举2个组织作为本年度两个轮值的秘书处,并 且选举两个组织作为秘书处的替补。
- 4.秘书处负责会议筹备及文件准备等工作,负责维护、促进(工作网络)联席会议内部成员间信息 交流沟通,并承担理事会及理事会主席指定的其它工作和任务。
- 5.理事会有确凿的证据表明秘书处的工作中存在重大的错误和失误,经理事会投票三分之二多数通过,可以罢免秘书处;三分之二多数的联席会议成员联名可以推翻理事会的罢免决定。

五、筹款委员会

理事会设立筹款委员会,筹款委员会负责为(工作网络)联席会议筹集工作经费,款项的使用由 理事会支配。

六、附则

- 1.本框架文件解释权归中国艾滋病民间组织全国(工作网络)联席会议理事会
- 2.本框架文件自2006年5月19日起生效。

附二:中国艾滋病工作民间组织全国(工作网络)联席会议发起组织

爱白文化教育中心 柘城县艾滋病防治民间促进会

中国青年艾滋病网络 武汉馨缘工作组

河南西华县艾岗乡半截麦志愿者协会 河南省开封市尉氏县红丝带协会

牡丹之家互助小组 山东省血友病病友联谊会 山西省新绛县彩虹自助小组 江西省同志关爱小组

新疆雪莲花艾滋病教研项目组织 全国输血及血液制品感染 HIV 及病毒性肝炎感染者委员会

红蜡烛感染者小组 黑龙江省北安关爱知家

山东彩虹工作组 吉林松花江家园

湖北省南漳县挚友促进会 公民健康状况与受教育权工作组

河南省尉氏县刑庄乡艾滋病救助协会 上海同心工作组 天津友爱家园(天津血友病联谊会) 申桥乡艾滋病互助组

北京知爱行信息咨询中心 血艾小组

公民家园 山西省芮城县红十字会基层工作站

河北省向日葵工作组 彩缘新疆同志工作组 河南省信阳青竹林感染者自助组织 云南七彩天空工作组 北京东珍纳兰文化传播中心 山东省荷泽血友之家 The Boy 文化机构 山西闻喜迎春花小组

The Boy 文化机构 山西闻喜迎春花小组 沈阳阳光工作组 深蓝同志关爱工作组

河南省宁陵县康乐家 河南省太康县毛庄镇艾滋病互助组

大连彩虹工作组 浙江同志爱心工作组

附三:中国艾滋病工作民间组织全国(工作网络)联席会议 理事会、秘书处成员名单

轮值主席: 深蓝同志关爱小组 同志组织类别理事: 山东彩虹工作组 感染者组织类别理事: 吉林松花江家园

四川省资中县公民家园

血友病组织类别理事: 天津友爱家园(天津血友病联谊会)

血艾小组

其他组织类别理事: 新疆雪莲花艾滋病教研项目组织

全国输血感染艾滋病受害者工作委员会

爱白文化教育中心

轮值秘书处: 北京知爱行信息咨询中心 替补秘书处: 浙江同志爱心工作组

北京爱知行研究所(北京知爱行信息咨询中心)参加全国草根组织全球基金研讨协商会相关利益冲突问题的立场说明(限于全球基金 CCM 选举相关问题)

北京爱知行研究所 2006年5月15日发布

全国草根组织全球基金研讨协商会将在 2006 年 5 月 16-20 日在北京召开,目的在于建立中国草根组织的网络和协商机制,组织全球基金中国国家协调委员会中国工作于上述三种疾病草根组织代表和列席代表的选举。关于本次会议的更多信息,请参阅会议通知和各项会议文件,网站: www.aizhi.net。

2006 年 5 月 6 日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳 兰文化传播中心、武汉馨缘工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国 输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和 天津市血友病联谊会等 9 个组织共同发出"关于召开全国草根非政府组织全球基金研讨协商会的通知"。本次会议由组委会委托北京爱知行研究所承办,组委会成员为: 陆军、常坤、冰蓝、李喜阁、万延海、王立新,会议召集人为陆军和万延海。截至 5 月 14 日下午 6 时,报名参会及电话咨询报名事项的组织超过了 90 个,递交报名表的组织达 85 个。组委会共确认了 76 个组织的参会资格。9 个组织的报名资格未得到组委会的确认。

北京爱知行研究所由 1994 年创办的北京爱知行动项目发展而来,目前在北京市工商部门注册,但主要从事艾滋病相关的教育、政策研究和法律维权等公益性活动。北京爱知行研究所在其 2006 年度给国际开放社会研究所递交的年度经费申请中,申请了 2 万美元经费,用于支持草根非政府组织和三种疾病(艾滋病、结核病和疟疾)感染者参与全球基金中国国家协调委员会相关选举事务。北京爱知行研究所动用本项预算资助本次草根组织全球基金研讨协商会议。

鉴于作为草根组织一分子并报名参加本次会议的北京爱知行研究所在本次会议中存在下列利益冲突问题,包括资助本次会议、作为发起组织、参与组委会和作为召集人、作为会议会务组、以及部分参会组织和北京爱知行研究所有密切的合作关系(包括平常的项目资金支持),特此声明如下:

- 1、北京爱知行研究所的参会资格、利益冲突回避问题、在本次会议上需要考虑的敏感性, 愿意在会场内外接受全体参会人员和其他草根组织的责询和挑战;在与会草根组织认为 必要、并进行讨论后通过的相关意见,北京爱知行研究所愿意尊重和遵从。
- 2、北京爱知行研究所在会议发起、组织、报名、发布通知、准备各项文件和处理全球基金中国国家协调委员会选举相关问题的交流上,采取透明和有记录的方式,并接受全球基金和公众责询。
- 3、北京爱知行研究所派研究所政策项目助理杨阳代表研究所参加本次会议,代表研究所表 达相关意见和立场,参与表决、选举和被选举。会议期间,研究所代表杨阳在各项会议 安排中,需要遵循低调和不得利用研究所的特殊地位影响他人意见和选举意向。
- 4、北京爱知行研究所所长万延海作为组委会召集人之一、会务组负责人、会议主持人之一, 主要负责会议程序安排、文件准备和协调各项事务等。会议期间,万延海在各项会议安 排中,需要遵循低调和不得利用研究所的特殊地位影响他人意见和选举意向。
- 5、研究所若干员工参与会务工作。研究所上述人员在会议期间,需要遵循低调和不得利用 研究所的特殊地位影响他人意见和选举意向。
- 6、作为会议代表的北京爱知行研究所的意见,需要通过代表杨阳在会议表达。作为其他身份的研究所立场,需要由所长万延海或其委托代表陈述。
- 7、北京爱知行研究所希望大家在会议期间进行充分的信息交流、意见交流。在此过程中, 我们不建议人们特别询问北京爱知行研究所对相关问题的立场。

其他未尽事宜,我们将在会议上作补充说明。我们愿意与全国各地草根组织代表一起共同面对来自全球基金的挑战和机遇。

谢谢大家!

全国草根非政府组织全球基金研讨协商会观察手记

观察员 王泳

2006 年 5 月 6 日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳兰文化传播中心、武汉馨缘工作组工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和天津市血友病联谊会等 9 个组织共同发出"关于召开全国草根非政府组织全球基金研讨协商会的通知",目的在于组织全球基金中国国家协调委员会中工作于艾滋病、结核病和疟疾的草根非政府组织代表和列席代表的选举,建立中国草根组织的网络和协商机制。本次会议由组委会委托北京爱知行研究所承办。

5月16日,会议在北京正式召开。70个获得参会资格的组织参加了本次会议。

5月18日下午,在三天的议事规则培训、会议相关问题讨论和一系列规范、有序的选举程序后,天津血友病联谊会被选举为全球基金中国国家协调委员会中草根非政府组织的正式代表,同时产生了2名列席代表和12个组织形成的列席代表团,来协助正式代表更好的履行职责,使得该领域内的草根组织在将来可以更加充分地参与全球基金项目在中国地运作。

本次会议暨选举在中国草根组织发展历程中是一次重大事件,对草根组织之间的联合议事、建立合作机制和实施选举等关键工作能力都是一次示范和能力建设的过程,为将来草根组织的相关工作积累了宝贵经验。

作为本次会议邀请的观察员,我们把整个过程中的一些经验和问题进行了初步总结,希望中国草根组织的发展与联合,在这次成功尝试的基础上,推广成功经验,克服缺点,继续前行。

会议的成功之处:

- 1、本次会议在筹备、召集阶段,即明确了组织草根组织代表选举、促进草根组织整体参与 全球基金项目在中国的运作、建立中国草根组织的网络和协商机制等会议目标。这些目 标的达成,在艾滋病问题的领域内,意味着草根组织工作质量和工作能力的实质性提高。 而在艾滋病问题之外,这些目标同样也是中国其他领域内草根组织面临的重大课题。所 以,本次会议的经验对于谋求发展的中国所有草根组织来说,都具有借鉴意义。
- 2、由于会议目标必须在参会代表的充分参与下才能实现,大会组委会探索了很多促进参与的方法,如在会议开始阶段进行了大量有针对性的议事方法的培训。而在整个会议进程中,反复鼓励代表的积极参与和意见表达。不仅对于草根组织代表,包括大会组委会在内,整个会议就是一次学习并运用这些新方法的能力建设的过程。
- 3、除有关会议的一般程序性问题之外,本次会议从开始到结束,大会组委会和选举委员会 都主要起组织作用,而把实质问题的最终决定权赋予参会代表。在代表们意见不统一的 情况下,都是采用辩论后表决的方式加以取舍,对参会代表而言,达到了充分的被赋权 状态。
- 4、本次会议一共有70个获得参会资格的草根组织代表赴会,包括感染者组织类别、同志

组织类别、血友病类别和其他类别的草根组织,涵盖面广,可以较充分的代表相关草根组织意愿。在会议中,即使存在地域、文化程度、表达习惯、语言等方面的差异,参会代表整体上也有很高的参与度,能够较为充分的表达不同意见并展开有效辩论。

- 5、选举是本次会议的核心内容,而从会议第一天,参会各方即围绕着如何进行一次公正、 规范的选举而展开运作。从选举的整个过程来看,程序上非常规范,监督机制也得到了 有效运行,保证了选举结果的公正,进而保证了当选者未来工作的有效性与合法性。
- 6、本次会议不仅选举出了一名正式代表,而且富有创意的从四个类别的草根组织中,产生了由 12 个组织形成的辅助正式代表工作的代表团,如此便可以保证全面且高效的整合较大范围内不同草根组织的意见和诉求,并通过正式代表反映在全球基金国家协调委员会的相关决议过程中。
- 7、整个会议过程都非常公开而透明。召集会议通知、参会报名、会议每日进程的发布和中 大消息的发布均以网络为载体来实施,过程中还有数家媒体的采访,使得任何对此会议 关注的人士均可以及时获知会议进程与相关决议。

问题与不足

- 1、准备不足:缺少志愿者,还能吸收更多的参会组织,培训时间短一理解不完全、滥用权力,主持人,参会材料分发、阅读不够,本次会议由于一些特殊背景条件的限制,准备期非常短暂,导致很多准备工作不够到位。例如会议缺少志愿者的帮助、参会组织数量不够最大化、议事规则培训时间短、参会代表对相关规则和程序理解不深、确少专门的会议主持人等。
- 2、符合议事原则的前提下,应该使用符合大多数人日常行为习惯的、容易理解容易操作的 具体议事办法。本次会议采用的一些术语,不符合日常语言习惯,使得会议开始阶段一 些参会代表由于不能在极短时间内充分理解这些术语的含义,没有能够充分行使代表权 力,甚至对议事内容产生误解。而主席台上的小锤,在中国的议事环境下显得突兀,且 客观上使用不恰当,过分强调了主持人的权威。
- 3、由于本次会议的很多议程在草根组织或者 NGO 工作中都是探索性的尝试,大会组委会事先对会议程序的制定不够严密。而在议事过程中,因为组委会非常强调会议的程序规范和代表的充分参与和决定权,把很大精力放在了一般程序性事务的讨论和决策中。今后,组委会和主持人应该在较为完备的程序设计下,减少不必要的讨论,把会议重点放在有实质意义的重要问题上,如参选代表资格的设定、针对候选人的提问和候选人之间的辩论、代表团的职能等。
- 4、 极少数参会代表在会议期间行为,不符合大会公开、透明的原则,在宽松、自由的议事 环境中没有充分表达意见,进行公开讨论,而是在一些非正式场合发表不同意见,使得 问题得不到充分的讨论,无益于分歧意见之间的理解和包容,更无益于相关问题的解决。
- 5、会议中除了参会代表之外,其他参与方的身份、职能定位不明确,如大会组委会中的各个组织、会议承办者、主持人、观察员等,由此会造成某些时候相关组织代表或者个人身份的争议与混乱。

总体而言,本次会议虽然存在很多缺陷,但是在一片空白的基础上勇于探索而形成的缺陷,更多的是为将来本土 NGO 与草根组织的运作积累了宝贵经验,并为草根组织之间的协商与合作树立了一个典范。

呼请中国政府追随全球文明的步伐

经历一个世纪多的主义、解放和纷争后,人类迎来了全球主义。面对地球变暖、资源、环境恶化、传染病流行、人口增长、原教旨主义和核武器扩散,人类发现自己竟然是那么的脆弱,人类需要相互依存和支持。我活,也让你活!

全球人类健康和安全受到艾滋病、结核和疟疾的威胁。这个全球性的危机需要全球化的紧急行动。有效的行动需要发达国家和发展中国家政府、双边机构、私立机构、志愿者、学术部门、研究人员及私立基金会做出更大的努力。需要尽快建立一种新的、全球性的官方和民间合作伙伴机制,以加强在三种疾病上的合作、协调和更大的投入,全面改善健康状况。在八国首脑会议、联合国和国际公民社会运动的推动下,全球艾滋病、结核病和疟疾基金(简称全球基金)于 2002 年初发出第一轮项目招标通告。目前,全球基金已经运行 5 年,总共获得 89 亿美元捐款承诺,已经支付给全球基金的捐款总额 50.5 亿美元。截止 2005 年 12 月,中国被批准获得资助的艾滋病、结核病和疟疾资金达到 3.9 亿美元。

建立全球基金的目的是通过新建立的官方和私立机构合作伙伴机制,募集、管理和分配资源,将这些资源送往最需要援助的地区,对降低疾病感染率、患病和死亡做出持续而有益的贡献,从而减轻艾滋病、结核和疟疾在有关国家产生的影响,为新千年减少贫困的发展目标做出贡献。全球基金代表了国际卫生融资的新途径。

全球基金不在各国设立分支机构。全球基金要求各个受赠国成立一个国家协调机制(委员会)(Country Coordination Mechanism, CCM),处理各国项目申请、项目监督和评估。虽然全球基金要求国家协调委员会应该是多部门和官民合作的机制,但是中国在2002年成立的国家协调委员会完全是政府控制的,委员会的工作也不符合全球基金关于透明和公正的原则。

全球基金中国项目不断出现腐败和资金滥用的丑闻,而无人过问。全球基金中国项目也未履行承诺,没有把应该给非政府组织的资源分配给这些组织。一些地方,公然出现党政部门领导全球基金事务的现象,政府用全球基金的钱威胁非政府组织:不听话,不给钱!在全球基金支持的地区,艾滋病工作者时常被软禁在家里,而执行任务的警察竟然是从卫生局领取津贴。

为建设一个符合现代全球化治理理念的国家协调委员会,2004年11月全球基金第九届理事会通过决议:"代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据各自制定的、有记录和透明程序自行挑选或选举产生。"(CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.)这些非政府部门包括非政府组织和基于社区的组织、艾滋病、结核病或疟疾三种疾病的感染者、宗教或基于信仰的组织、私人机构、学术机构。全球基金要求非政府部门应该占国家协调委员会成员 40%以上。

2006年3月27日,中国通过新的国家协调委员会章程(试行),开始组织各个部门(选区) CCM 成员的选举工作。在一个不民主、严重不公和政府长期暗箱操作的社会中,全球基金的善治理念出现了危机。我们关注中国民主化进程和人民健康,我们呼请中国政府追随全球文明的步伐。

在过去的一个月中,我们听到了来自中国草根组织和疾病感染者两个选区选民们的呼声。他们认为中国 CCM 秘书处(中国疾病预防控制中心)暗箱操作、双重标准,控制选举过程。

草根组织们抱怨说: 2006 年 4 月 27 日 CCM 秘书处召集的草根组织选区选举会议,一些官方组织混进了草根组织选区的选举,一些按照章程没有选举权的组织(章程和选举会议通告上规定只有注册的组织有选举权、被选举权和表决权)被选择性的安排进了选举会场和

参加投票。

感染者们抱怨说: 2006 年 5 月 22 日结束的、CCM 秘书处召集的感染者选区选举不透明、无人监督、没有公开的选举程序说明、用传真投票、用电话录音投票、缺乏基本信息交流、很多注册选民没有拿到选票、在 115 个注册选民中当选代表只获得 3 票。

我们获悉,2006年5月16-20日,由9个中国草根组织发起的"全国草根组织全球基金研讨协商会"在北京召开,70个组织参加这次会议,60个组织当场报名参加了草根组织自己依照全球基金相关决议组织的CCM代表选举,选出了人民信任的CCM代表。

我们获悉,2006年5月29日,76名感染者选区注册选民(注册选民总共有115人)发表声明,认为CCM秘书处组织的、5月22日结束、通过传真机投票的选举无效,并要求组织一次新的选举。感染者们向CCM秘书处表示,可以由秘书处和感染者们组成一个选举委员会,组织选举;感染者们愿意自筹经费处理选举相关事宜。

我们支持中国草根组织和感染者朋友们自发的行动,特此呼吁如下:

- 1、在全球基金和全球合作事务中,中国政府放弃狭隘、专制和暗箱操作,尊重中国草根非政府组织和感染者们的意愿,尊重他们自行处理自身事务的权利。
- 2、中国政府不得扰民,要真诚面对本国人民和草根组织,递交政府-公民社会伙伴关系。
- 3、联合国机构、捐款国使馆、国际非政府组织、全球基金执行机构和理事会,给中国政府施加压力,要求中国政府尊重本国人民和草根组织的自主权。
- 4、中国政府需要制定一项处理与非政府组织关系、尊重非政府组织自主权、为非政府组织 提供政治经济保障的协议性文件,并规范政府和政府官员自身行为,追随全球文明的步伐。

签名信发起人(以姓名拼音排序,不分先后):

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2006年6月6日星期二

原 CCM 秘书长强正富的声明:

对所谓"……无端职责"的声明及 CCM 成员选举情况介绍

我的声明

北京爱知行健康教育所所长万延海于 5 月 25 日晚上用电子邮件和网站公布的形式,发表了一篇名为"北京艾滋病工作者万延海遭政府官员无端指责"的文章。因文中涉及我本人,故有必要对万延海的文章进行澄清和表明立场:

一、我本人不是政府官员,是中国疾控战线上的一名工作者,是中国全球基金项目的工作者。万延海虚张声势,以此标题企图挑动不明真相的人员对政府的不满,这是他惯用的手法,也是他本质的表现。

- 二、万延海在自己组织的 5 月 16 日-19 日会议前,多次用电子邮件和电话形式,邀请我参加他们的会议,并作报告。我在严正声明不支持他们在 CCM 选举工作已经结束的情况下,另搞一套草根组织的选举,并要他承诺取消会议议程中这部分内容的情况下,答应参加了他们 5 月 16 日上午的会议。在会上,我向大家详细介绍了全球基金、中国 CCM、中国全球基金项目的情况,并着重介绍了中国 CCM 改革情况和各类别组 CCM 成员选举的情况,通报了选举结果。最后以自己的体会,谈了五点意见,和与会人员交流:
- 1. 中国全球基金项目要符合国家防治规划; 只有在各级政府的领导和支持下,项目工作才能顺利开展和完成。
 - 2. 要有民族感,有为老百姓服务的理念,责任重大。
 - 3. 必须多部门合作,特别要鼓励和支持非政府组织(草根组织)的积极参与。
 - 4. 多理解、多支持、少对立 , 才会有更多更好的合作。
 - 5. 挑毛病不难, 难在能善意提出解决问题的办法, 共同去改进和完善。

我的报告受到了大家的热烈鼓掌和欢迎。会后,许多参会人员和我交换意见(其间万延海阳挠参会人员和我的接触),并明确表示他们反对万延海的做法。

三、万延海于 5 月 21 日、22 日、23 日连续几天给我电话要求和我见面,因我在外开会, 无法安排。23 日下午,我主动致电万延海,邀请他于 24 日方便的时候,来我办公室交换意 见。虽然我和万延海之间有着完全不同的理念和行为方式,他在不同场合和在网页上多次用 一客气地说一不友好的语言对我和我的部门进行攻击,但我还是愿意和他沟通,和他交流, 这体现了我的诚意,否则,我完全可以不搭理这种善于背后搞人的人。

四、关于我们双方的"谈话内容":

- 1. 我们的谈话,万延海要求录音,我同意录音。但他并没有告知他将要公开我们的谈话、录音),直至 25 日下午他给我电话,说是征求我的意见,要公开我们的谈话录音,并进一步强调说,不管我是否同意,他都将在今晚把谈话录音放在网上公布。他的这种行为不用我来评论,大家也就清楚了。
 - 2. 在他自己整理的谈话内容里,把我的话掐头去尾,表达不完整。
 - 3. 我和他的谈话可归纳为二点:
 - 1) 关于类别组选举:

万延海可以表达对感染者类别组选举的意见,但不能说三道四,代表感染者要我们必须如何如何做。秘书处是受中国 CCM 委托,召集感染者类别组选举,采取的形式也是征求了意见(包括万延海的意见)、经大家讨论后决定的,而不是秘书处自行其是,如:在已经报名参加感染者类别组选举的 116 名人员的基础上,进行选举,不再扩大。

草根组织的选举已经通过中国 CCM 授权,请秘书处按正当程序完成,万延海自搞的一套选举并不具备合理性和代表性。但是对他提交给 CCM 关于他们组织的选举情况材料,秘书处有义务转交中国 CCM 主席和副主席单位。

2)关于对万延海本人的评价,这是我个人对万延海的评价,不代表秘书处。我现在还是坚持我对万延海的这种评价。万延海作为一个中国人,缺乏应有的爱国之心。拿外国人的钱(少数西方国家人权组织的钱),专挑中国的毛病,以此来争取他更多的经费,这是他行为的宗旨。所以,在他嘴里挂着的总是"政府专制"、"CCM专制",俨然把自己看成一个人权斗士。在这里我还是要奉劝万延海一句话,做实实在在的中国人,为中国人做实实在在的事。

强正富 2006年5月26日

北京艾滋病工作者遭政府官员无端指责

2006年5月24日下午,北京爱知行健康教育研究所所长万延海前往中国疾病预防控制中心国际处处长、全球基金中国国家协调委员会秘书处秘书长强正富的办公室,与其交流中国全球基金项目 CCM "以社区为基础组织或其他非政府组织类别组、感染者代表和列席代表选举"等问题,会谈大约持续了40分钟。在谈及5月17—19日召开的"全国草根非政府组织全球基金研讨协商会"中所进行的"中国全球基金国家协调委员会(CCM)草根非政府组织组别代表选举"时(该协商会由爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳兰文化传播中心、武汉馨缘工作组、北京爱知行健康教育研究所、全国输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和天津市血友病联谊会等9个组织共同发起的),该政府官员指责万延海"用外国人的钱,为外国人服务"。该官员认为,基于其所谓的万延海此背景,该协商会所进行的选举不能代表中国的草根组织,没有资格代表中国的草根组织。在整个谈话过程中,该官员多次指责万延海是"拿外国人的钱在为外国人办事",而不是为中国人服务。

长期以来,北京爱知行健康教育研究所在中国从事艾滋病相关工作,其主要资金来源为国外基金会的资助。爱知行自成立以来始终关心的主题是:在中国推动公众对艾滋病的防范意识、维护艾滋病人的权益和维护性少数人的权利。爱知行在项目运作与财务收支上注重并保持着公开与透明,在中国艾滋病工作上的努力也是有目共睹的。因此,我们认为该官员的指责是毫无事实依据、无理野蛮的。

第二部分: 三个 CCM 章程

全球艾滋病、结核病和疟疾基金 中国国家协调委员会章程 (2003 年 8 月 18 日中国国家协调委员会第七次全体会议通过)

第一章 总则

第一条 全球艾滋病、结核病和疟疾基金中国国家协调委员会(Country Coordination Mechanism of The Global Fund to Fight AIDS,Tuberculosis and Malaria in China ,以下简称 CCM),是根据全球艾滋病、结核和疟疾基金(以下简称全球基金)的有关要求,为审议、批准和协调中国申请全球基金项目,监督和指导经全球基金批准在中国境内实施的项目而建立的协调机制。

第二条 CCM 坚持"公开透明、广泛参与、高效运作"的原则,积极为全球基金项目在中国的顺利实施作出贡献。

第二章成员

第三条 CCM 由以下九类成员组成:

- 1. 政府部门 2. 国内非政府组织 3. 群众团体 4. 学术机构 5. 公立和私营企业 6. 感染者及患者
- 7. 国际多边机构 8. 国际双边机构 9. 国际非政府组织。

第四条 凡是中国境内的上述单位和个人具备以下条件均可申请加入 CCM:

- 1、在中国合法注册和运作的机构和中国合法公民;
- 2、拥护 CCM 的章程;
- 3、关心和支持中国艾滋病、结核病和疟疾的控制工作,并愿为此作出贡献;
- 4、能够按时参加 CCM 组织的活动,并积极交流经验与信息。

第五条 申请加入 CCM 程序

- 1、向秘书处提交正式的书面申请,在申请书中要申明遵守第四条中所提的要求,并有两个以上正式 CCM 成员的推荐签名;
- 2、经秘书处审核,符合申请条件,提交 CCM 全体会议表决,经 2/3 以上的与会成员同意;
- 3、在CCM 秘书处登记备案。

第六条 CCM 成员的权利

1、CCM 的选举权、被选举权和表决权; 2、参加 CCM 的会议和活动; 3、对 CCM 工作的建议权。

第七条 CCM 成员的义务

- 1、执行 CCM 的决定; 2、参加 CCM 会议及活动; 3、积极为 CCM 活动和全球基金项目献计献策;
- 4、为 CCM 提供有关信息和资料。

第八条 CCM 成员的退出

- 1、CCM 成员在任何时候以书面形式向秘书处要求退出 CCM ,要求即刻生效,并由秘书处向成员单位通报:
- 2、任何五个或五个以上 CCM 成员可以书面形式向秘书处提议要求免去某个成员 CCM 成员资格,经提交全体会议表决,2/3 以上与会成员同意通过。

第三章组织形式

第九条 CCM 设主席一人,副主席一人。CCM 主席由中国卫生部的领导担任,副主席在中国政府部门之外其他成员中通过全体会议选举产生,任期一年,可连选连任。

第十条 CCM 设全体会议、常务小组和秘书处。

第十一条 CCM 每年至少召开两次全体会议。CCM 主席、常务小组根据需要,或 1/5 以上 CCM 成员要求,可临时动议召开全体会议。CCM 全体会议需有半数以上成员参加,其产生的决定才能生效。

第十二条 常务小组由 CCM 主席、副主席和第三条所述的九类成员中选出的代表组成,人数为 11 至 15 人。主席根据工作需要可组织召开常务小组会议。

第十三条 秘书长由 CCM 主席提名, 经 CCM 会议 1/2 以上与会成员同意通过;

第十四条根据工作需要,CCM 可设专项工作组。工作组由 CCM 成员推荐组成。

第四章职责

第十五条 CCM 全体会议的主要职责

- 1、制定和修改 CCM 章程;
- 2、根据中国艾滋病、结核病和疟疾控制的优先领域和全球基金的有关要求,组织、协调、审议和通过向全球基金提交的项目申请; 3、审议和批准向全球基金提交的半年以上工作计划和执行进度报告;
- 4、监督和评估项目的实施; 5、选定项目实施的中央执行机构(PR); 6、推荐全球基金驻华代理(LFA);
- 7、接纳和免去 CCM 成员; 8、选举决定 CCM 副主席; 9、对全球基金的政策、项目管理的要求和方式提出意见和建议; 10、根据需要,指定成立专项工作组。

第十六条 CCM 常务小组的主要职责

- 1、在全体会议休会期间代为履行 CCM 职能; 2、对 PR 的工作进行指导、督查和评估;
- 3、对项目的实施进行监督、指导和评估; 4、向全体会议提出建议和意见;
- 5、受 CCM 主席和全体会议的委托,审议和批准拟向全球基金提交的项目工作计划和进度报告。

第十七条 CCM 秘书处的主要职责

- 1、负责 CCM 的日常工作,对 CCM 主席负责;
- 2、安排召开全体会议和常务小组会议,并负责整理和保存会议记录、文件和有关材料;
- 3、受理项目申请,并提交 CCM 全体会议; 4、负责与全球基金以及全球基金驻华代理和 PR 的联络;
- 5、代表 CCM 向全球基金提交有关资料和报告; 6、CCM 主席委托和需要承办的其他事宜。

第十八条专项工作组的主要职责

- 1、协助起草项目申请书; 2、根据需要, 协助 PR 制定项目执行计划书;
- 3、对 PR 拟向全球基金提交的项目工作计划和进度报告提出建设性意见:
- 4、受 CCM 委托,对项目的实施进行监督和评估,并向 CCM 常务小组或 CCM 全体会议报告;
- 5、完成 CCM 或 CCM 常务小组委托的其它工作。

第五章 附则

第十九条本章程的解释权属于 CCM 常务小组。

第二十条本章程的修改可由主席、副主席或五个以上 CCM 成员提出建议,经常务小组认可后,报 全体会议审议,经 2/3 以上的与会成员同意通过。

第二十一条本章程经 CCM 全体会议通过之日起生效。

全球基金中国国家协调委员会章程(修改稿) 全球基金中国国家协调委员会秘书处 二〇〇五年十二月二十二日

第一章 总 则

1.1 全球艾滋病、结核病和疟疾基金中国国家协调委员会(Country Coordination Mechanism of The Global Fund to Fight AIDS, Tuberculosis and Malaria in China,以下简称 CCM),是根据全球艾滋病、结核和疟疾基金(以下简称全球基金)的有关要求,为审议、批准和协调中国申请全球基金项目,监督和指导经全球基金批准在中国境内实施的项目而建立的协调机制。

1.2 CCM 坚持"公开透明、广泛参与、高效运作"的原则,积极为全球基金项目在中国的顺利实施作出贡献。 第二章: CCM 成员

国家协调委员会(CCM) 成员组成

- 2.1 中国 CCM 由 21 名成员组成。包括 6 名政府代表,10 名各类别组代表,艾滋病、结核病、疟疾工作组的主席,CCM 的主席和副主席。
 - 2.2 CCM 中, 15 名代表具有投票权, 6 名代表无投票权。具有投票权的类别组代表有:

政府代表: 1) 卫生部; 2) 4 名其他政府部委代表;

非政府部门代表: 3) 1 名学术/教育部门的代表; 4) 1 名公众机构(政府组织的 NGO)代表; 5) 1 名中国社会协会代表; 6) 1 名以社区为基础的组织或其他非政府组织代表; 7) 1 名艾滋病/结核病/疟疾患者或感染者代表;

私营机构代表: 8)1 名私营机构代表;

国际组织代表: 9) 2 名多边组织代表; 10) 1 名双边组织代表; 和 11) 1 名国际非政府组织代表。

- 2.3 不具有投票权的 CCM 代表有:
- 1) CCM 主席与副主席; 2) CCM 艾滋病、结核病、疟疾工作组的主席; 3) 中央执行机构(PR)
- 2.4 各类别组代表是代表其类别组(如2.2 中所列)的观点,而不是代表其本身所属组织。
- 2.5 PR 和 CCM 各工作组的主席具有发言权,不具有投票权。PR 不可成为 CCM 的主席或副主席。
- 2.6 根据未来全球基金的要求和中国国内形势的变化, CCM 的构成方式可重新审议(见 2.25)。
- 2.7 CCM 致力于在成员组成上体现性别平衡。类别组成员及代表
- 2.8 各类别组自己选择 CCM 代表。非政府类别的 CCM 成员,通过公开透明、有记录的程序,从各组中选举产生。
 - 2.9 CCM 类别组代表的任期为两年。期满后,可连选连任。
 - 2.10 对某些无法自己召集选举的非政府组织,如草根组织,CCM 秘书处可协助其完成选举代表的过程。
 - 2.11 类别组成员由该组决定。
- 2.12 凡属条款 2.3 中所列类别的组织或个人,均可成为其所在类别组的代表,只要符合如下条件: 1) 已在中国合法注册或是中华人民共和国的合法公民; 2) 拥护 CCM 章程; 3) 在中国从事控制艾滋病、结核病和疟疾的工作; 4) 参加 CCM 的活动,拥护下面条款 2.15 2.21 中所列的成员

权利和义务。

- 2.13 类别组代表选择存在分歧时, CCM 主席和副主席将指定一个特别工作组介入调查,并向 CCM 主席和副主席提出建议报告。
- 2.14 中国卫生部、中国疾病预防控制中心、和 4 个其他部委的代表将代表中国政府。 中国政府将根据国务院艾滋病工作委员会的建议,委任 4 名非卫生部官员的 CCM 代表。
 - 2.15 各类别组选定其代表后,应告知 CCM 秘书处,并附相关材料,证明此次选举过程透明公开。
- 2.16 每名 CCM 代表都可受到 1 名候补代表和 1 名本类别组的观察员的支持。CCM 代表经与其类别组成员商议,指定一名候补代表。除受 CCM 代表委派和 CCM 主席邀请外,观察员无权在 CCM 会议上发言。

CCM 成员的权利:

- 2.17 提名、投票、和被选举权;
- 2.18 参加 CCM 组织的活动;
- 2.19 参与 CCM 讨论,并提出建议。
- CCM 成员的责任:
- 2.20 遵守 CCM 章程;
- 2.21 参加 CCM 会议和活动;
- 2.22 遵守并执行 CCM 决议:
- 2.23 就 CCM 会上讨论内容与组内协商,并在 CCM 会议上代表其类别组;
- 2.24 就 CCM 的活动和全球基金项目的管理提出意见和建议;
- 2.25 向 CCM 提供相关信息和资料。

CCM 投票程序:

- 2.26 CCM 需投票产生决议时,可采用简单的多数通过的原则;
- 2.27 修改 CCM 章程和改变 CCM 成员组成(包括增补和免除 CCM 代表)时,需得到 2/3 的投票赞成,才能通过:
 - 2.28 CCM 主席和副主席认为必要时,也可采用 2/3 多数制或其他方式,做出决策。
 - CCM 成员利益冲突:
 - 2.29 当 CCM 做出某项可使某些成员或其组织受益的决策时,该成员应主动声明,离场,并放弃投票权;
 - 2.30 凡接受全球基金赠款的 CCM 成员均须同其他受赠者一样公开相关信息(见 4.4)。
 - CCM 成员资格的终止:
- 2.31 任何时候, CCM 成员均可向 CCM 秘书处提交书面申请,要求退出 CCM。该申请即时生效。其所在类别组可重新选举新代表:
- 2.32 如有 5 名 CCM 成员认为某个成员不遵守 CCM 章程,可提出书面申请,要求其退出 CCM。此申请将在 CCM 全体会议上进行讨论和投票,得到 2/3 成员同意即可通过。该类别组可重新选举新代表。
- 第三章: CCM 的组织结构和工作方法
- 3.1 CCM 设主席一人,副主席一人,通过全体会议从 CCM 成员中选举产生 ,任期 2 年。任期满后,可连选连任。
- (a) 经 15 名具有投票权的 CCM 成员投票选举,产生主席一人,副主席一人。如其本身为 15 名具有投票权的 CCM 成员之一,当选后必须放弃原身份,由其所在类别组、工作组或部委重新挑选人选作为 CCM 成员;
- (b) CCM 主席与副主席没有选举权。在 CCM 会议上,他们只负责主持会议,确定成员观点,并达成一致。他们为整个 CCM 服务,而不是为个别组服务;
 - (c) 主席与副主席只可连任一次;
 - (d) CCM 主席和副主席应来自不同类别组;
 - (e) 在特殊情况下, CCM 主席可指定一名代理主席;
 - 3.2 必要时,主席和副主席可以邀请外部人员参加 CCM 会议,就特定议程的内容发表言论。
 - 3.3 CCM 秘书处由 CCM 指定。

- 3.4 CCM 每年至少召开 2 次全体会议。
- 3.5 CCM 秘书长由 CCM 主席推荐,并经 CCM 通过。
- 3.6 CCM 已设立分病种项目工作组,根据工作需要,还可设立特别工作组。CCM 工作组向所有类别组成员开放。
- 3.7 CCM 主席与副主席通过工作组内选举产生。任期两年,可连任。

CCM 会议通知与会议议程:

3.8 会议通知应在 CCM 会议召开前 2 周,通过电子邮件、传真或信函的形式发给所有 CCM 成员。会议议程、背景资料、PR 进展报告应一同提交。

CCM 会议:

- 3.9 会议的第一项议程应为讨论、通过本次会议议程,通过上次会议的会议纪要。
- 3.10 会上应对自上次会议以来 PR 赠款项目的进展报告予以讨论。报告中一定要包含如下内容:项目目标及执行指标的完成进展,预算情况、对变化的解释、遇到的问题。CCM 项目工作组应先于 CCM 会议对报告进行讨论,由工作组主席提出需 CCM 特别注意的问题。

法定人数:

- 3.11 CCM 会议需有半数以上成员参加,才能召开,且产生决议时至少半数成员在场,其产生的决定才能生效。会议纪要:
- 3.12 会议纪要草稿,应在每次 CCM 会议结束后的一周内写好,由秘书处分发给所有 CCM 成员。并在下次会议上,讨论、修改和投票通过。
- 3.13 会议纪要应对 CCM 会议上每项投票通过的决议予以记录,并记录当时会上对其的反对意见(除非反对方同意不把这些意见记录在会议纪要中)。

信息交流与透明:

- 3.14 CCM 秘书处应在两次会议之间,向所有 CCM 成员和观察员提供如下材料:
- a) 来自全球基金的所有重要文件,包括开始征集项目书及项目书指南;
- b) 全球基金、PR 和 CCM 之间的所有正式通讯记录,包括 CCM 提交的技术评审小组对项目书的评价;
- c) 所有与准备全球基金项目书相关的重要文件,包括全国项目书的征集、项目书概要及草稿、和最终定稿的项目书;
 - d) 所有涉及其全球基金赠款项目执行情况的重要文件,包括 PR 向全球基金提交的季度报告或其他阶段性报告。全球基金延伸活动:
- 3.15 全球基金中央执行机构应通过会议、演讲和研讨会等国内相关会议(如中国国际 HIV/AIDS 合作会议)宣传全球基金在中国资助的工作。

第四章 职 责

CCM 全体会议

- 4.1 CCM 全体会议职责如下:
- 制定和修改 CCM 章程; 选举决定 CCM 的主席和副主席,以及工作组的正副负责人;
- 接纳和免去 CCM 成员;• 批准 CCM 秘书处的年度工作计划和预算;
- 根据中国艾滋病、结核病和疟疾控制的优先领域和全球基金的有关要求,开展、协调、审议、通过和监督向全球基金提交的项目申请;
 - 审议和批准向全球基金提交的半年以上工作计划和执行进度报告;
 - 向全球基金提出项目执行计划的修改意见;
 - 必要时在原资助的 2 年项目完成之前,向全球基金提交继续资助申请;
 - 决定并批准向全球基金申请新项目:
 - 对全球基金的政策制订、项目管理的要求和方式提出意见和建议;
 - 监督和评估项目的实施:
 - 选定项目实施的中央执行机构 (PR), 必要时提议更换 PR;
 - 推荐全球基金驻华代理(LFA),必要时提议更换;

- 审议和批准全球基金项目的分级执行机构(SR-即从 PR 得到赠款并完成全球基金项目的机构)
- 监督和评估中央执行机构(PR)的工作情况,确保分级执行机构(SR)也得到合理的监督和评估;
- 根据工作需要,成立特别工作组,并通过其章程和工作计划。

CCM 秘书处

- 4.2 CCM 秘书处职责如下:
- · 负责 CCM 的日常工作,对 CCM 主席负责;
- 安排召开全体会议,包括制定会议日程、和发会议通知;
- 负责将 CCM 会议纪要整理并分发给所有成员,必要时分发工作组纪要;
- 整理和保存 CCM 会议记录、文件、往来通讯记录和相关材料;
- 宣布受理项目申请,推动项目书起草小组工作,协调项目书整理,并将其提交 CCM 全体会议,随后提交全球基金;
 - 负责与全球基金以及全球基金驻华代理和中央执行机构的联络;
 - 在 CCM 主席的指导下整理有关资料和报告,并提交全球基金;
- CCM 秘书处从中央执行机构得到的所有报告,或收到来自全球基金的相关通讯记录、指导方针和文件,都要提交所有 CCM 成员;
 - 促进工作组职能:
 - 确保中央执行机构为 CCM 成员和工作组准备相关文件;
 - 维护并更新成员名单;
 - 维护全球基金中国项目网站;
 - · 在网站上公布 CCM 成员名单和联系方式;
 - 回答公众提出的常规问题, 其他问题与 CCM 商议后作答;
 - 与驻华代理机构(LFA)、中央执行机构(PR)和其他理事会成员,包括公众机构共享信息;
 - 行使由 CCM、CCM 主席和副主席、和工作组赋予的其他职能;
- 4.3 CCM 秘书处由 CCM 指定的一名执行秘书长 领导,其职责为:管理 CCM 秘书处事务,作为秘书参加所有 CCM 的会议,但无投票权。

中央执行机构

- 4.4 中央执行机构的主要职责为:
- 签署全球基金赠款协议;
- 按照项目执行计划,与分级执行机构签订协议,并负责监督其执行;
- 在 CCM 指导下完成全球基金项目;
- 每6个月向全球基金报告一次项目进展和目标完成情况:
- 必要时将重要问题向 CCM 报告请示;
- · 将所有交到 CCM 秘书处的进展报告和财政报告,提交给 CCM 和工作组;
- 每半年向工作组提交一次报告,随后将报告及工作组对此报告的意见和建议一同提交 CCM 全体;
- 将全球基金项目工作计划、执行计划和资金分配方案的重大变动提交工作组讨论,随后连同意见一起递交 CCM 全体会议通过并报全球基金;
 - 将全球基金项目工作计划、执行计划和资金分配方案的微小变动提交工作组讨论及批准,随后报全球基金;
 - 必要时参加工作组相关会议
 - 应工作组要求, PR 有责任协助工作组和非 PR 的 CCM 成员进行年度独立评估,和项目点参观;
 - 在网站上公布接受中国全球基金赠款的所有组织的名单及赠款

总额;

- 行使 CCM 赋予的其他职责;
- 协助全球基金第二阶段项目申请。

艾滋病、结核病和疟疾专项工作组:

- 4.5 各项目工作组职责如下:
- 为项目建议书的起草提供帮助和建议,申请过程中,必要时回答技术评审小组提出的意见:
- 成立公开的成员写作小组,负责起草项目书,鼓励在项目书起草过程中,征求 NGO 和社会团体的意见;
- 向全球基金提出第二阶段项目申请,并提交 CCM 全体会议审议;
- 在将工作计划提交 CCM 通过前,协助中央执行机构制订和审议工作计划;
- 在 PR 将工作计划和进展报告提交到全球基金之前,对工作计划和进展报告提出建议和意见;
- 对中央执行机构每半年的进展报告进行审议,提出意见并批准报告,必要时提交 CCM 会议;
- 审议中央执行机构提交的对全球基金项目工作计划、执行计划和资金分配方案重大变动的申请, 递交 CCM 讨论时同时附上参考意见:
- 审议中央执行机构提交的对全球基金项目工作计划、执行计划和资金分配方案的微小变动的申请,通过后报全球基金。所有变动都必须在下一次 CCM 全体会议上进行汇报;
- 工作组每年都应进行独立评估(同非 PR 的 CCM 成员一起)及现场参观,对全球基金项目在基层的执行情况 予以监督。某些时候还应进行秘访。工作组负责将调查结果比照项目目标报告

CCM.

- 按照 CCM 要求,对项目执行予以监督和评估,并向 CCM 全体会议汇报;
- 代表 CCM 监督项目执行情况:
- 向 CCM 汇报项目执行中的具体事宜;
- 负责 CCM 交给的其他工作;
- 监督和评估中央执行机构和分级执行机构的执行情况项目的执行和与 LFA 的关系:
- 4.6 当中央执行机构向 LFA 提交需要 LFA 转交给全球基金的报告(如:"支付申请和最新进展报告")及季度财政报告时,中央执行机构应同时向工作组主席和 CCM 提交一份副本;
- 4.7 工作组应邀请 LFA 参加工作组的部分相关会议。如有某些 LFA 已经或准备告知 GF 注意的问题,那么也应告知工作组(此间工作组主席可以要求中央执行机构暂离会场)。工作组成员可以针对中央执行机构向工作组递交的报告及工作组讨论的其他问题向 LFA 提出询问。
- 4.8 工作组和 LFA 应达成相互共识:即 LFA 对财政事务有特别知情权,而工作组对项目相关的事务有特别知情权。如果双方都对赠款的有效执行怀有信心,则在项目评估方面应互相帮助。
 - 4.9 如工作组对全球基金项目的执行或财政管理怀有置疑,则有责任向 CCM 报告;
 - 4.10 若上述有 LFA 参与的行为需经全球基金批准,必须事先征得全球基金同意。

第五章 附 则

- 5.1 本章程的解释权属于 CCM 秘书处。
- 5.2 本章程经 CCM 全体会议通过之日起生效。CCM 将针对新章程的实施制定一份过渡计划。

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)

(2006年3月27日实施)

第一章 总则

1.1 中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(China Country Coordination Mechanism for the Global Fund to Fight AIDS, Tuberculosis and Malaria Project ,以下简称 CCM),是根据全球抗击艾滋病、结核病和疟疾基金(以下简称全球基金)的有关要求,为审议、批准和协调申请全球基金项目,监督和指导经全球基金批准在中国境内实施的项目而建立的协调机制。

1.2 CCM 坚持"公开透明、广泛参与、高效运作"的原则,积极为全球基金项目在中国的顺利实施做出贡献。

第二章: CCM 成员

CCM 成员组成

2.1 CCM 由 22 名成员组成。包括如下召集人和类别组代表:

2.1.1 CCM 召集人

- 1) CCM 主席 2) CCM 副主席 3) CCM 艾滋病专项工作组组长
- 4) CCM 结核病专项工作组组长 5) CCM 疟疾专项工作组组长

2.1.2 政府部门(5)

6) 卫生部 7-10) 4 个其它政府部委

2.1.3 非政府部门(6)

- 11) 中国疾病预防控制中心(中国疾控中心)12)1 名中国专业和教育机构代表
- 13) 1 名中国人民团体(包括宗教团体)代表 14) 1 名中国社会团体代表
- 15) 1 名中国以社区为基础的组织或其它非政府组织代表 16) 1 名国际非政府组织代表
- 2.1.4 中国艾滋病、结核病、疟疾患者或感染者代表
- 17) 1 名中国艾滋病、结核病、疟疾患者或感染者代表

2.1.5 私有/公有企业的代表

18) 1 名私有/公有企业代表

2.1.6 国际组织(4)

- 19-20) 2 名多边组织代表 21-22) 2 名双边组织代表
- 2.2 CCM 的成员分为有投票权的成员和无投票权的成员。没有投票权的 CCM 成员有:
- 1) CCM 召集人: CCM 的主席与副主席,以及 CCM 艾滋病、结核病、疟疾工作组的组长;
- 2) 成为项目中央执行机构 (PR) 的类别组的 CCM 代表。
- 2.3 根据未来全球基金的要求和中国国内形势的变化, CCM 的组成可重新审议。
- 2.4 CCM 力求在代表组成上体现性别平衡。

类别组成员及代表

- 2.5 任何组织或个人均可成为类别组成员,只要其工作领域与2.1 所列类别相关,并且:
- 1) 在中国合法注册的机构、组织,或是中国公民; 2) 拥护本 CCM 章程; 3) 在中国从事艾滋病、结核病和疟疾防控的工作; 4) 参加 CCM 的活动,拥护下面条款 2.13 2.21 中所列的成员权利和义务。
- 2.6 各类别组自己推选其本类别 CCM 成员。代表应通过公开透明、有记录的程序从其本组中产生。
- 2.7 必要时, CCM 秘书处可协助某些类别组完成代表推选过程。
- 2.8 当类别组代表推选存在分歧时, CCM 主席和副主席将指定一个特别工作组进行调查, 并向 CCM 主席和副主席提交建议报告。
- 2.9 各类别组 CCM 成员代表其类别组观点,而非其本身所属组织。
- 2.10 CCM 类别组成员任期为 2 年。期满后,可连选连任。
- 2.11 每名 CCM 成员可与本类别组其它 2 人共同参加 CCM 会议。只有 CCM 成员具有投票权。在 CCM 主席或副主席同意下,这 2 名参会人员可以发言。
- 2.12 各类别组选定其 CCM 成员后,应告知 CCM 秘书处,并附相关材料,证明推选过程透明公开。

CCM 成员的权利:

2.13 提名、投票和被推选权; 2.14 参加 CCM 组织的活动; 2.15 参与 CCM 讨论,并提出建议的权利。

CCM 成员的责任:

- 2.16 遵守 CCM 章程; 2.17 参加 CCM 会议和活动; 2.18 遵守并执行 CCM 决议;
- 2.19 就 CCM 会上即将讨论的内容征求组内成员意见,并在 CCM 会议上代表其类别组观点;
- 2.20 就 CCM 的活动和全球基金的项目管理提出意见和建议; 2.21 向 CCM 提供相关信息和资料。

CCM 成员利益冲突:

2.22 当 CCM 做出某项可使某些成员或其组织受益的决策时,该成员必须公开声明,请求离场和/或放弃投票权; 2.23 接受全球基金资金的 CCM 成员均须同其它受赠者一样公开相关信息(见 4.3.1 e)。

CCM 成员资格的终止:

2.24 CCM 成员可在任何时候向 CCM 秘书处提交书面申请,要求退出 CCM。该申请即时生效。其所在类

别组可重新推选新代表

2.25 如某个成员不遵守 CCM 章程,任何 5 名 CCM 成员可提出书面申请,要求其退出 CCM。此申请将在 CCM 全体会议上进行讨论和投票,得到 2/3 成员同意即可通过。该类别组应重新推选新代表。

第三章: CCM 的组织结构和工作方法

- 3.1 CCM 设主席一人,副主席一人,通过全体会议从 CCM 成员中推选产生,任期 2 年。
- 1) 经具有投票权的 CCM 成员投票推选,产生主席一人,副主席一人。当选后,该成员必须放弃原身份,由其所在类别组、部委重新推选或推荐 CCM 成员;
- 2) CCM 主席与副主席负责主持会议,确定成员观点,并达成一致。他们为整个 CCM 而不是某个类别组和部委服务; 3) CCM 主席与副主席(个人)只可连任一次; 4) CCM 主席和副主席应来自不同类别组或部委; 5) 中央执行机构不能担任 CCM 的主席或副主席。
- 3.2 必要时, 主席和副主席可以邀请外部人员参加 CCM 会议, 就特定议题的内容发言。
- 3.3 CCM 秘书处的秘书长由 CCM 主席提名, 经 CCM 批准任命。
- 3.4 CCM 设立艾滋病、结核病和疟疾三个专项工作组,工作组向全体 CCM 成员和所有类别组成员开放。根据工作需要,CCM 可设立其他特别工作组,其成员可由 CCM 主席、副主席进行指定,或向所有 CCM 成员开放。
- 3.5 CCM 工作组组长与副组长通过组内推选产生。任期两年,可连任。

CCM 会议通知与会议议程:

- 3.6 CCM 每年至少召开 2 次全体会议;
- 3.7 会议通知应至少在 CCM 会议召开前 3 周发出。会议议程、背景材料、项目进展报告等应至少提前 2 周,通过电子邮件、传真或信函的形式发给所有 CCM 成员。
- 3.8 在紧急情况下, CCM 主席和/或副主席可在更短时间内发出通知, 召集 CCM 会议。

CCM 全体会议:

- 3.9 每次 CCM 会议的第一项议程均为讨论、批准本次会议议程,通过上次会议的会议纪要。
- 3.10 CCM 会议应听取和讨论上次会议以来每个全球基金项目的进展报告。包括:项目目标、指标及预算的完成情况,对变化的解释,和遇到的挑战。在提交 CCM 全体会议之前,CCM 专项工作组应先就报告进行讨论,并由工作组组长提出需 CCM 注意的主要问题。
- 3.11 如某个 CCM 成员不能参加 CCM 会议,应提前告知 CCM 主席,并指定一名代表代表其类别组参加会议。在会上,该代表将享有同 CCM 成员相同的权利与义务。
- 3.12 CCM 全体会议需有半数以上成员参加才能召开。至少半数 CCM 成员在场时,其产生的决议方才有效。 3.13 需投票产生决议时,采用简单多数通过的原则。
- 3.14 修改 CCM 章程和改变 CCM 成员组成(包括增补和免除 CCM 代表)时,需得到 2/3 的多数投票,才能通过.
- 3.15 特殊情况下, CCM 主席和副主席可视情采用 2/3 多数制或其它方式, 做出决策。

会议纪要:

- 3.16 会议纪要草稿,应由秘书处在每次 CCM 会议结束后的一周内完成并分发给所有 CCM 成员。在下次 CCM 会议上通过。在期间,如对会议决议的理解有分歧,以 CCM 主席和副主席的解释为准修改纪要。
- 3.17 CCM 会议纪要应记录会议上投票通过的所有决议以及会上对该决议的反对意见(除非反对方同意不把这些意见记录在会议纪要中)。

第四章职责

CCM 全体会议

- 4.1 CCM 全体会议职责如下:
- 4.1.1 CCM 负责项目的申请和监督:
- 1) 根据中国艾滋病、结核病和疟疾控制的优先领域和全球基金的有关要求,起草、协调、审议、通过和监

督向全球基金提交的项目申请;

- 2) 审议和批准全球基金要求提交的半年以上工作计划和进展报告:
- 3) 将项目执行计划的重大变动提交全球基金;
- 4) 必要时,在已批准项目的前2年资助结束之前,向全球基金提交二期资金申请;
- 5) 决定并批准向全球基金提交新项目申请;
- 6) 对全球基金的政策制订、项目管理的要求和方式提出意见和建议;
- 7) 监督和评估项目的实施;
- 8) 监督和评估中央执行机构的工作情况,确保分级执行机构(SR)也得到适当的监督和评估。
- 4.1.2 指定和批准主要职能:
- 1) 选定项目实施的中央执行机构,必要时提议更换;
- 2) 推荐全球基金驻华代理 (LFA), 必要时提议更换;
- 3) 审议和批准对全球基金项目的分级执行机构的选择。
- 4.1.3 监督 CCM 的职能和工作方法:
- 1 SR一即从 PR 得到项目资金并执行全球基金项目的机构
- 1) 制定和修改 CCM 章程;
- 2) 推选 CCM 的主席和副主席,确认工作组的组长和副组长;
- 3) 接纳和免除 CCM 成员;
- 4) 批准 CCM 秘书处的年度工作计划和预算,任命 CCM 秘书处秘书长;
- 5) 根据工作需要,成立特别工作组,并通过其工作职责和工作计划。

CCM 秘书处

4.2 CCM 秘书处职责如下:

- 4.2.1 负责 CCM 会议:
- 1) 安排召集 CCM 全体会议,包括制定和分发会议日程和会议通知;
- 2) 负责整理 CCM 会议纪要,并分发给所有 CCM 成员,必要时分发工作组纪要;
- 3) 促进专项工作组和特别工作组职能;
- 4) 秘书长作为会议秘书参加所有 CCM 的会议,有发言权,但无投票权。
- 5) 承担 CCM 主席、副主席指定的其它工作和任务。
- 4.2.2 负责 CCM、CCM 成员、中央执行机构和全球基金之间的联络:
- 1) 负责与全球基金、驻华代理机构和中央执行机构的联络;
- 2) 发布受理项目申请通告,协助项目书起草小组工作。协调项目书起草,并将其提交 CCM 全体会议,随后提交全球基金:
- 3) 确保中央执行机构为 CCM 成员和工作组准备相关文件;
- 4) 在 CCM 主席的指导下,整理提交全球基金的相关资料和报告,回答全球基金提出的疑问;
- 5) CCM 秘书处从中央执行机构得到的所有报告,或收到来自全球基金的相关通讯记录、指导方针和文件,都要提交所有 CCM 成员;
- 6) 将来自全球基金的重要文件,全球基金、中央执行机构和 CCM 之间的所有正式通讯记录,所有关于项目准备和执行的重要文件,包括:在国内宣布受理项目申请、项目书草案、最终定稿的全球基金项目书、项目规划和财务报告,提供给所有 CCM 成员。
- 7) 回答公众提出的关于全球基金的一般性问题。其它重大问题与 CCM 主席、副主席商议后作答;
- 8) 与驻华代理机构、中央执行机构和全球基金理事会成员,以及公众分享信息。
- 4.2.3 负责文件保存:
- 1) 整理和保存 CCM 会议记录、文件、往来通讯记录和相关材料;
- 2) 维护并更新发送材料名单;
- 3) 维护全球基金中国项目网站;

- 4) 在网站上公布 CCM 成员名单和联系方式。
- 4.2.4 其它职能:
- 1) 承担 CCM 的日常工作,对 CCM 主席负责;
- 2) 承担由 CCM 决议、CCM 主席和副主席,以及工作组赋予的其它职能。

中央执行机构 (PR)

- 4.3 中央执行机构职责如下:
- 4.3.1 执行项目协议:
- 1) 签署全球基金项目协议,按照项目执行计划,与分级执行机构签订协议,并负责监督其执行;
- 2) 在 CCM 指导下完成全球基金项目;
- 3) 将全球基金项目工作计划、执行计划和资金分配方案的重大变动提交工作组讨论,随后连同意见一起递交 CCM 全体会议通过并报全球基金;
- 4) 将全球基金项目工作计划、执行计划和资金分配方案的微小变动提交工作组批准,随后报全球基金;
- 5) 在网站上公布接受中国全球基金资助的所有组织的名单及资金总额。
- 4.3.2 向 CCM 和全球基金报告项目进展:
- 1) 每 6 个月向 CCM 报告全球基金项目的进展和目标完成情况;
- 2) 必要时就重要问题请示 CCM;
- 3) 将所有交到驻华代理机构和全球基金秘书处的进展报告和财政报告,提交 CCM 和工作组;
- 4) 每半年向工作组提交一次报告,征求意见和建议。
- 4.3.3 必要时,协助 CCM 职能:
- 1) 必要时列席或参加工作组会议;
- 2) 若工作组要求,中央执行机构应协助和支持工作组和 CCM 成员进行年度独立评估,包括项目地区的现场考察:
- 3) 行使 CCM 赋予的其它职能;
- 4) 协助全球基金二期项目申请;
- 5) 通过会议、演讲和研讨会等形式,在国内相关会议(如中国艾滋病防控国际合作会议)上宣传全球基金在中国资助的工作。

艾滋病、结核病和疟疾专项工作组:

- 4.4 专项工作组职责如下:
- 4.4.1 起草向全球基金提交的项目建议书:
- 1) 成立向成员开放的项目书起草小组,鼓励在项目书起草过程中,征求社会和非政府组织的意见。为项目书的起草提供帮助

和建议,回答技术评审小组提出的意见;

- 2) 负责完成向全球基金提交的项目二期申请书,交 CCM 全体会议审议;
- 3) 协助中央执行机构制订和审议工作计划,随后提交 CCM 通过;
- 4) 对工作计划和进展报告提出意见和建议,随后由中央执行机构提交全球基金。
- 4.4.2 项目的审议和监督:
- 1) 审议中央执行机构的半年期进展报告,向中央执行机构提出建议;确认报告并附意见,必要时提交下次 CCM 会议;
- 2) 审议中央执行机构提交的对全球基金项目工作计划、执行计划和资金分配方案重大变动的申请,在提交 CCM 会议讨论时对

该变动提供意见;

3) 审议中央执行机构提交的对全球基金项目工作计划、执行计划和资金分配方案的微小变动的申请,通过后报全球基金。所有

变动都必须在下一次 CCM 全体会议上通报;

4) 工作组将进行含现场考察的年度独立评估,对全球基金项目在基层的执行情况予以监督。一些考察可以不事先通知。工作组

将根据项目目标和指标,将评估结果报告 CCM;

- 5) 监督和评估中央执行机构和分级执行机构的表现。
- 4.4.3 代表 CCM, 承担其它监督职能:
- 1) 对项目执行进行监督和评估,并就项目执行的具体事项报告 CCM 全体会议;
- 2) 行使 CCM 赋予的其它职责;
- 3) 工作组应邀请驻华代理机构参加相关会议。

第五章附则

- 5.1 本章程的解释权属于 CCM 秘书处。
- 5.2 本章程经 CCM 全体会议通过之日起生效。CCM 将针对新章程的实施制定一份过渡计划。

第三部分:中国 CCM 发布的选举信息

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会专业和教育机构 类别组代表选举会议通知

自2006年4月10日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称CCM) 秘书处发出"CCM 专业和教育机构代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业,关心支持中国 CCM 工作的专业和教育机构的热情响应。截至4月20日,报名参加本类别组的机构有5个,名单(按报名次序先后)如下:

- 1. 北京大学医学部
- 2. 北京佑安医院
- 3. 中央民族大学西部发展研究中心
- 4. 北京市海淀区明圆学校
- 5. 北京地坛医院

作为本类别组的召集人, CCM 秘书处拟于 2006 年 4 月 25 日上午 9:00~11:00 在北京潇湘大厦 (北京市宣武区北纬路 42 号) 9 层会议室召开"专业和教育机构"类别组会议,会议的主要议题有:

- 1. CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2. 本类别组成员讨论确定本类别组 CCM 成员选举方式;
- 3. 选举本类别组 1 名正式 CCM 成员、2 名参会成员。

请各报名单位于 4 月 24 日 17:00 前与秘书处联系确认参会,并派代表按时出席会议。 感谢您对中国全球基金项目国家协调委员会工作的关心和支持!

联系人: 武薇

地址/邮编: 北京市宣武区南纬路盛景嘉园 2 号楼 4 单元 602 号/100050

电话: 010-83133121; 传真: 010-83133120

电子邮件: gf@chinaglobalfund.org

中国全球基金项目国家协调委员会秘书处

二OO六年四月二十一日

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会改革社会团体代表 表成员选举的通知

一、背景:

自 2002 年以来,"全球抗击艾滋病、结核和疟疾基金项目"在中国执行,目前我国已经获得批准项目 8 个(艾滋病项目 3 个,结核项目 3 个,疟疾项目 2 个),资金共计 3.9 亿美元,其中 5 个项目已经开始执行。全球基金项目推动了中国对这三种疾病的预防与控制。根据全球基金的要求,为审议、批准和协调中国申请全球基金项目,监督和指导经全球基金批准在中国境内实施的项目而建立了"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(CCM)",以协调全球基金的工作。几年来,CCM 的工作对于项目的执行起到了重要的作用。

根据 CCM 第十五次会议决定,将在近期进行 CCM 的改革工作,其中重要内容是对 CCM 的组成进行改革。会议委托中国性病艾滋病防治协会根据新的 CCM 章程,牵头组织"社会团体"中 CCM 新成员代表的选举工作。

二、CCM 成员的职责:

选举出的 CCM 成员将参与 CCM 全体会议,履行 CCM 章程所规定的"CCM 成员的权利和责任"。

三、"社会团体"CCM 成员人数:

- 1. 正式代表 1 人
- 2. 列席代表 2 人

四、选举者与被选举者资格

选举者和被选举者均为在国家相关部门正式注册的社会团体,包括各类参与艾滋病、结核和疟疾防治工作的协会、学会、基金会、研究会等。

五、"社会团体"CCM 成员选举方式:

- 1. 本次选举将采用自愿报名、检索通知的方式确定选举者。信息通达将采用网上报名和信函的形式进行。
- 2. 确定后的选举者将进行讨论,酝酿,选举出1名正式代表和2名列席代表。
- 3. 协会将在 4 月 26 日下午 14:00-17:00 (地点特定)召开会议,完成代表的选举工作。并在会议上完成参加艾滋病、结核病和疟疾三个工作组的报名工作。在会上还将讨论有关建立非政府组织艾滋病网络(联盟)问题,以期更好的发挥非政府组织在艾滋病防治中的整体作用。

六、报名方式和截止时间:

- 1. 有意参与选举的社会团体请将报名表于 4 月 17 日前邮寄、传真或通过电子邮件发送到中国性病艾滋病防治协会。
- 2. 中国性病艾滋病防治协会联系方式

联系人: 罗玫、肖玉洁ω

地址/邮编: 北京南纬路 27 号/100050ω

电话/传真: 010-63034521, 63177251ω

电子邮件: waidsngo 703@126.com, luomei999@yahoo.com.cn

- 3. 中国性病艾滋病防治协会将在4月20日前发出正式会议通知。
- 4. 更多相关信息请浏览以下网站:

中国疾病预防控制中心性病艾滋病预防控制中心: http://www.chinaids.org.cn

全球基金中国项目网站: http://www.chinaglobalfund.org

中国性病艾滋病防治协会

二OO六年四月五日

附件:

1. 中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)

2. 报名表

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会私有/公有企业类 别组代表选举会议通知

自2006年4月10日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称CCM)秘书处发出"CCM私有/公有企业代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业,关心支持中国CCM工作的企业的热情响应。截至4月20日,报名参加本类别组的企业有8个,名单(按报名次序先后)如下:

- 1. 北京万东医疗装备股份有限公司
- 2. 东北制药总厂
- 3. 中美上海施贵宝制药有限公司
- 4. 默沙东(中国)有限公司
- 5. 上海迪赛诺生物医药有限公司
- 6. 沈阳红旗制药有限公司
- 7. 葛兰素史克(中国)投资有限公司
- 8. 上海复星医药(集团)股份有限公司

作为本类别组的召集人, CCM 秘书处拟于 2006 年 4 月 26 日上午 9:00~11:00 在北京潇湘大厦 (北京市宣武区北纬路 42 号) 9 层会议室召开"企业"类别组会议,会议的主要议题有:

- 1. CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍;
- 2. 本类别组成员讨论确定本类别组 CCM 成员选举方式;
- 3. 选举本类别组 1 名正式 CCM 成员、2 名参会成员。

请各报名单位于4月25日17:00前与秘书处联系确认参会,并派代表按时出席会议。

感谢您对中国全球基金项目国家协调委员会工作的关心和支持!

联系人: 武薇

地址/邮编: 北京市宣武区南纬路盛景嘉园 2 号楼 4 单元 602 号/100050

电话: 010-83133121; 传真: 010-83133120

电子邮件: gf@chinaglobalfund.org

中国全球基金项目国家协调委员会秘书处

二OO六年四月二十一日

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的 组织或其它非政府组织代表选举会议通知

自 2006 年 4 月 10 日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称 CCM)秘书处发出"CCM 以社区为基础的组织或其它非政府组织代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业、关心支持中国 CCM 工作的以社区为基础及其他非政府组织的热情响应。截至 4 月 22 日,报名参加本类别组组织有 16 个。

作为本类别组的召集人, CCM 秘书处拟于 2006 年 4 月 27 日上午 9:00 在北京潇湘大厦(北京市宣武区北纬路 42 号)8 层会议室召开"以社区为基础的组织或其它非政府组织"类别组会议,会议的主要议题有:

- 1. CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2. 本类别组成员讨论确定本类别组 CCM 成员选举方式;
- 3. 选举本类别组 1 名正式 CCM 成员、2 名参会成员。

请各报名组织于 4 月 26 日 17:00 前与秘书处确认是否参会,并派代表按时出席会议。

感谢您对中国全球基金项目国家协调委员会工作的关心和支持!

联系人: 武薇

地址/邮编:北京市宣武区南纬路盛景嘉园 2号楼 4单元 602号/100050

电话: 010-83133121; 传真: 010-83133120

电子邮件: gf@chinaglobalfund.org

中国全球基金项目国家协调委员会秘书处

二00 六年四月二十四日

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会**感染者类别组代** 表选举会议通知

自 2006 年 4 月 12 日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称 CCM)秘书处发出"CCM 感染者类别组代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业、关心支持中国 CCM 工作的感染者热情响应。截至 4 月 22 日,报名和推荐参加本类别组的人选有 114 人。

作为本类别组的召集人, CCM 秘书处拟于 2006 年 4 月 27 日下午 14:00~17:00 在北京潇湘大厦(北京市宣武区北纬路 42 号) 8 层会议室召开"艾滋病、结核病、疟疾患者或感染者"类别组会议。届时宾馆大堂会议指示牌为"中国全球基金项目国家协调委员会代表选举会议"。会议的主要议题有:

- 1. CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2. 本类别组成员讨论确定本类别组 CCM 成员选举方式;
- 3. 选举本类别组 1 名正式 CCM 成员、2 名参会成员。

请各报名或被推荐人员于4月26日前与秘书处确认参会,并按时出席会议。

感谢您对中国全球基金项目国家协调委员会工作的关心和支持!

联系人: 武薇

地址/邮编:北京市宣武区南纬路盛景嘉园 2号楼 4单元 602号/100050

电话: 010-83133121; 传真: 010-83133120

电子邮件: gf@chinaglobalfund.org

中国全球基金项目国家协调委员会秘书处

二OO六年四月二十四日

中国全球抗击艾滋病、结核和疟疾基金项目国家协调委员会 成员代表选举报名表

所属类别	
姓名	
性别	
化名	
户籍地	
身份证号	
通讯地址	
邮编	
联系电话	
传真	
电子邮件	
手 机	
推荐机构名称	
联系人	
联系电话	
传真	
电子邮件	
手 机	
备注	

请将报名表和介绍材料于4月22日前以邮件、传真或电子邮件方式提交中国全球基金项目国家协调委员会秘书处:

地 址: 北京市宣武区南纬路盛景嘉园 2号楼 4单元 602号

邮 编: 100050

联系人: 武薇、邹运铎

电话: 010-83133121 传真: 010-83133120

电子邮件: gf@chinaglobalfund.org

紧急通知-中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会感染者 类别组代表选举会议延期举行

各位报名参加"CCM 感染者类别组代表选举会议"的女士、先生们:

CCM 秘书处原计划在 2006 年 4 月 27 日下午召开"艾滋病、结核病、疟疾患者或感染者"类别组会议,选举 CCM 感染者类别组代表。现因 CCM 秘书处收到来自各方的意见,对选举程序和日期提出意见。为保证能公正、公平地在本类别组选举出代表广大感染者的 CCM 代表,CCM 秘书处决定取消 27 号的会议,待广泛征求意见后再重新组织选举。具体安排另行通知。我们对由此给您带来的不便深表歉意。

感谢您对中国全球基金项目国家协调委员会工作的关心和支持!

中国全球基金项目国家协调委员会秘书处 二 OO 六年四月二十五日

中国全球抗击艾滋病、结核和疟疾基金项目国家协调委员会 感染者类别组代表选举报名补充信息表

填表说明

尊敬的女士/先生:

您参加中国全球抗击艾滋病结核病和疟疾基金项目国家协调委员会(中国 CCM)感染者类别组代表选举的报名表已收到。非常感谢您对我们工作的支持和热心参与。

为做好下一步的选举工作,现需要您提供补充信息(表格附后)。填表注意事项如下:

- 一、 所填表格信息(身份证号除外)将对所有报名者公开,请郑重考虑是否填写此表;
- 二、 请注意填写化名,不填写化名者视为同意以实名公开表格信息;
- 三、 请选择愿意以实名还是化名公开表格信息。若选择化名,请将"实名"两字删除; 若选择实名请将"化名"两字删除;
- 四、 请确认是何种疾病感染者;
- 五、 请务必填写固定电话,因为公开信息后候选代表间可能相互联系,若通过手机联系, 通讯费用可能增加;电子邮件是最经济有效的联络方式,鼓励使用;
- 六、 个人简介部分需填写以下内容:
 - 1. 个人既往为感染者所做的工作,在感染者群体中的影响力;
 - 2. 个人的工作能力,如身体状况、语言文字表达能力、与感染者和外界沟通的能力等;
 - 3. 对 CCM 感染者代表工作的理解和工作设想; 请注意文字简练,字数 300 字左右,350 字以上的内容有可能在录入时被计算机 删除。
- 七、 请将填写完毕的表格在 5 月 9 日前以传真、电子邮件或快递方式提交中国全球基金 项目国家协调委员会秘书处。逾期未收到此表的视为放弃参加选举;
- 八、 对报名人数较多的省份,秘书处将在考虑地区平衡的基础上组织该省的预选举,选

出省级代表;

九、 秘书处保留对本说明的解释权。

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会 感染者类别组代表选举报名补充信息表

注意: 此表内的信息将有可能被公开, 填报前请看填表说明

姓名	性别				
化名		年龄			
是艾滋病/结核病/疟疾感染者		户籍地			
身份证号		固定电话	舌		
手机		传真			
电子邮件		邮编			
通讯地址					
愿以 [实名/化名] 公开此表信息(身份证号除外)			签名		
个人简介 (300 字左右)					

请将本表于 5 月 9 日前以传真、电子邮件或快递方式提交中国全球基金项目国家协调委员会秘书处。

地 址: 北京市宣武区南纬路盛景嘉园 2号楼 4单元 602号

邮 编: 100050 联系人: 武薇、邹运铎

电话: 010-83133121 传真: 010-83133120 电子邮件: gf@chinaglobalfund.org

中国全球基金项目国家协调委员会特别工作组会议情况通报

尊敬的中国全球基金项目国家协调委员会全体成员:

中国全球基金项目国家协调委员会(CCM)特别工作组会议于 2006 年 3 月 27 日在卫生部 107 会议室 召开。会议由 CCM 主席单位代表、卫生部国际合作司副司长任明辉主持。世界卫生组织、英国国际 发展署、联合国艾滋病规划署、联合国人口基金会、中国性病艾滋病防治协会、以及东北制药均派员 参加了会议。

本次会议的主要内容如下:

- 一、根据所有 CCM 成员对章程的反馈意见,特别工作小组对第十五次 CCM 全体会议上原则通过的 CCM 章程进行了进一步的润色修改,并一致通过,自 2006 年 3 月 27 日起实施。
- 二、根据第十五次 CCM 全体会议上通过的 CCM 改革过渡时期工作方案,决定各类别组选举自 2006 年 3 月 30 日起开始,由各类别组召集人负责组织,原则上在 4 周内完成各类别组 CCM 成员的推举工作。CCM 秘书处将各召集人的联系方式在全球基金中国项目网站上公布,并通知相关机构和单位,凡感兴趣的组织均可与召集人联系参加。

特此通报。

中国全球基金项目国家协调委员会秘书处 二oo六年四月五日

关于全球基金中国国家协调委员会改革相关章程和分类别选举 组织方式的若干意见

2006年4月21日

4月份以来,在全球基金中国国家协调委员会的网站上(http://www.chinaglobalfund.org) 陆续刊发了一系列署名"中国全球基金项目国家协调委员会秘书处"的文件,参见:

http://211.167.248.4/globalfund/articledetail.asp?ID=528(关于中国全球基金项目国家协调委员改革的重要文件),包括:

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)

http://211.167.248.4/globalfund/ccm/ccmtor cn.pdf

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会改革社会团体代表成员选举的通知

http://211.167.248.4/globalfund/articledetail.asp?ID=525

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知

http://211.167.248.4/globalfund/articledetail.asp?ID=534

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会感染者类别组代表选举的通知 http://211.167.248.4/globalfund/articledetail.asp?ID=549

中国全球基金项目国家协调委员会特别工作组会议情况通报

中国CCM改革各类别组选举召集人联系方式

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会专业和教育机构代表代表选举的通知

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会私有/公有企业成员代表选举的通知

根据修改后的全球基金《国家协调委员会(CCM)宗旨、结构和组成以及对基金申请资 格要求的指导意见(修订)》(Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms and Requirements for Grant Eligibility)(由 2005年4月21-22日全球基金第十届理事会决议,其中国家协调委员会 宗旨、结构和组织的指导意见(修订)是根据 2004 年 11 月 18 日全球基金第九届理事会的 决议。国家协调委员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨 款申请的资格。)(These Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms incorporate decisions made by the Global Fund Board at its 9th Board Meeting, November 18, 2004. CCM compliance with these requirements (highlighted in bold) will be used to determine eligibility of proposals submitted from Round 5 onwards and Phase 2 Requests For Continued Funding submitted from June 1, 2005.),全球基金强调国家协调委员会要有广泛的利益相关方的 代表、伙伴关系、平等和透明下的参与,并规定: "代表非政府部门的 CCM 成员必须由其所 在的(每个)部门根据各自制定的成文和透明程序自行挑选或选举产生。"(CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.) 这些非政府部门包括非政府组织和基于社区的组织、艾滋病、结核病或疟疾三种疾病的感染 者、宗教或基于信仰的组织、私人机构、学术机构。

依照上述原则和相关信息,现对全球基金中国国家协调委员会改革相关章程和分类别选举组织方式提出若干意见,如下:

关于委员会名称

原章程用名:全球艾滋病、结核病和疟疾基金中国国家协调委员会(Country Coordination Mechanism of The Global Fund to Fight AIDS, Tuberculosis and Malaria in China,以下简称 CCM)

改革后试行章程用名:中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(China Country Coordination Mechanism for the Global Fund to Fight AIDS, Tuberculosis and Malaria Project,以下简称 CCM)

对于中文和英文名称的变更,我们希望 CCM 秘书处可以做出解释。

关于委员会的原则

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行,以下简称新章程)(经2006年2月20日中国全球基金项目国家协调委员会第15次全体会议原则通过,于2006年3月27日修改实施。)提出:"CCM坚持'公开透明、广泛参与、高效运作'的原则,积极为全球基金项目在中国的顺利实施做出贡献。"

我们希望 CCM 秘书处对"高效运作"作为委员会工作原则的理由作出解释。我们担心"高效运作"作为缺乏透明和民主参与的借口。

关于非政府部门的组成

新章程第 2.1.3 条提示非政府部门在 CCM 中有 6 个席位,包括:

- 11) 中国疾病预防控制中心(中国疾控中心)
- 12) 1 名中国专业和教育机构代表
- 13) 1 名中国人民团体(包括宗教团体)代表
- 14) 1 名中国社会团体代表
- 15) 1 名中国以社区为基础的组织或其它非政府组织代表
- 16) 1 名国际非政府组织代表

我们不清楚中国疾病预防控制中心属于非政府部门的哪个类别,为什么这个非政府部门的机构不需要经过同类别的机构制定的相关程序、依照透明和有记录的方式选举或挑选产生。我们认为:中国疾病控制中心不应该作为非政府部门出现,而应该属于政府部门类别。

我们认为应该至少给中国以社区为基础的组织或其它非政府组织代表提供2个席位。

我们认为宗教团体应该是非政府部门类别中的一个独立的小类,应该有代表席位,而不应该被包含在人民团体中,并且宗教团体应该包含中国社会丰富多彩的宗教类社会服务组织,而不只是政府认可的几大宗教组织。

新章程第 2.1.4 条提示中国艾滋病、结核病、疟疾患者或感染者代表有 1 个席位,如下: 17) 1 名中国艾滋病、结核病、疟疾患者或感染者代表

我们认为应该至少给中国艾滋病、结核病、疟疾患者或感染者代表 2 个席位。

新章程第 2.1.5 条提示私有/公有企业的代表有 1 个席位,如下: 18) 1 名私有/公有企业代表

对于此类别,我们的意见是:全球基金《国家协调机构的宗旨、结构和组成指南》在谈到企业时用的是"Private Sector",即私人部门,在中国,我们认为国有企业应归入政府部门类别,而不属于私人部门。

关于成为类别成员的条件(对非政府部门而言,意味着获得类别选民资格)

新章程第 2.5 条指出:任何组织或个人均可成为类别组成员,只要其工作领域与第 2.1 条所列类别相关,并且:

- 1) 在中国合法注册的机构、组织,或是中国公民;
- 2) 拥护本 CCM 章程;
- 3) 在中国从事艾滋病、结核病和疟疾防控的工作;
- 4) 参加 CCM 的活动,拥护下面条款 2.13-2.21 中所列的成员权利和义务。

鉴于中国存在大量积极工作于社群的组织或其它非政府组织,并且其中绝大多数没有在政府

注册,或者只在工商部门注册,因为注册为社会团体、民办非企业单位或基金会存在相当困难,并且工作于社群的组织并不一定需要注册。因此,我们认为,新章程规定只有在中国合法注册的机构、组织才能获得类别成员资格,并才能享有选举权、被选举权和表决权,实际上侵害和剥夺了中国绝大多数工作于受疾病影响社群的组织参加选举的权利。为此,我们强烈建议,删除新章程关于社群组织或非政府组织必须注册才能成为类别成员的规定。

同时,我们认为,新章程对"中国以社区为基础的组织或其它非政府组织"类别的基本属性做出规定的做法,违反了全球基金第九届理事会关于 CCM 宗旨、机构和组织的决议: "代表非政府部门的 CCM 成员必须由其所在的 (每个)部门根据各自制定的成文和透明程序自行挑选或选举产生。" (CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.)

鉴于中华人民共和国公民并不以公民是否拥护宪法作为其是否为公民的先决条件,我们认为:成为非政府部门各个类别成员不能以其是否拥护本 CCM 章程为先决条件。

关于新章程和非政府部门代表选举信息发布

《中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)》经 2006年2月20日中国全球基金项目国家协调委员会第15次全体会议原则通过,于2006年3月27日修改实施。随后,CCM 秘书处4月上、中旬发布了上述一系列的选举通知,给出非常短暂的时间,组织非政府部门各个类别成员(选民)登记和召开各个类别成员(选民)的选举会议。

我们注意到,中国 CCM 没有主动在非政府部门各个类别中开展工作介绍新的 CCM 宗旨、结构和组成,旧的 CCM 在讨论通过新章程的过程中,没有积极寻求各个类别成员对章程修改的意见。

我们建议,非政府部门各个类别 CCM 代表选举或挑选需要由该部门各个类别自行制定规则、依照透明和有记录的方式选举产生,并且需要更多的时间。

我们强烈建议立即修改新章程和调整 CCM 非政府部门各个类别选举组织方式。如果我们的上述意见不被接纳,我们将对新 CCM 的合法性表示怀疑。

如果你的组织或你本人同意上述意见,请在这份意见书上签署你的组织或个人的名字。签字可以发给北京爱知行研究所,传真:010-88114683,电子信箱:aizhixing@aizhi.org。

本意见起草单位:北京爱知行研究所

山东省血友病病友联谊会 河南省宁陵县康乐家 公民维权网 南漳县挚友促进会全体感染者 新疆雪莲花项目 深圳南华同行会 公民健康状况与受教育权工作组 爱之方舟南京爱之园 吉林松花江互助家园 柘城县艾滋病防治民间促进会 商丘市睢阳区感染者互助组 柘城县申侨乡感染者互助组 柘城县伯岗乡互助组 山西迎春花互助小组 鞍山好兄弟工作组 大连彩虹 陕西爱之家 陕西红枫林 云南七彩天空工作组 湖南友爱之

家 河南睢县爱心互助组 天津血友病联谊会 中国血友之家 红树林感染者支持小组 沈阳阳光工作组

个人签名:

仇志江 律师 北京 李方平 律师 北京 张星水 律师 北京 李金勇 云南 邱峰 云南 浓志军 贵州 子川 宁夏 姚东 黑龙江 刘巍 黑龙江 刘树武 黑龙江 忠艾 黑龙江 王艳红 黑龙江 王丽 黑龙江 王彦香 黑龙江 朱朱 黑龙江 王立雪 黑龙江 陈明 黑龙江 刘君 黑龙江 韩大军 黑龙江 肖强 北京 艾晓明 教授 广东 刘勇 北京

关于北京知爱行信息咨询中心(又名北京爱知行研究所)参加 2006 年 4 月 27 日全球基金"中国 CCM 秘书处"(中国 CDC)组织的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议"的立场声明

北京爱知行研究所 2006年4月26日发布

2006年4月10日,署名"中国全球基金项目国家协调委员会秘书处"的一个组织发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知"(http://211.167.248.4/globalfund/articledetail.asp?ID=534),要求"有意参与选举的以社区为基础的组织或其它非政府组织请将报名表及机构简介于4月20日前邮寄、传真或通过电子邮件发送到 CCM 秘书处"。通知对选举资格和被选举资格做如下规定:根据 CCM 章程,本类别组选举者和被选举者需符合以下条件:1)在中国合法注册的以社区为基础的组织或其它非政府组织。通知说明,本次选举将选举出1名 CCM 成员和2名列席代表,将代表本类别组,参加 CCM 全体会议,履行 CCM 章程中所规定的成员、代表职责。

2006年4月24日,署名"中国全球基金项目国家协调委员会秘书处"的这个机构发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知"(http://211.167.248.4/globalfund/articledetail.asp?ID=554),说明截至4月22日,报名参加本类别组组织有16个。通知说:作为本类别组的召集人,CCM秘书处拟于2006年4月27日上午9:00在北京召开"以社区为基础的组织或其它非政府组织"类别组会议,会议的主要议题有:1. CCM秘书处对全球基金项目和CCM新的章程进行介绍。2. 本类别组成员讨论确定本类别组 CCM成员选举方式;3. 选举本类别组1名正式CCM成员、2名参会成员。

北京爱知行研究所报名参加了本类别组织代表选举,并确认参加 4 月 27 日的会议。特此,我们声明立场如下:

1、2006 年 4 月 21 日,爱知行研究所发布了最后总共有 27 个中国公民社会组织和 22 个公民签署的"关于全球基金中国国家协调委员会改革相关章程和分类别选举组织方式的若干意见",指出: 1) 鉴于中国存在大量积极工作于社群的组织或其它非政府组织,并且其中绝大多数没有在政府注册,或者只在工商部门注册,因为注册为社会团体、民办非企业单位或基金会存在相当困难,并且工作于社群的组织并不一定需要注册。因此,我们认为,新章程规定只有在中国合法注册的机构、组织才能获得类别成员资格,并才能享有选举权、被选举权和表决权,实际上侵害和剥夺了中国绝大多数工作于受疾病影响社群的组织参加选举的

权利。为此,我们强烈建议,删除新章程关于社群组织或非政府组织必须注册才能成为类别成员的规定。2)同时,我们认为,新章程对"中国以社区为基础的组织或其它非政府组织"类别的基本属性做出规定的做法,违反了全球基金第九届理事会关于 CCM 宗旨、机构和组织的决议:"代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据各自制定的成文和透明程序自行挑选或选举产生。"(CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.)全文参见附件。

- 2、立即停止以社区为基础组织类别组的选举会议,把会议的组织交给相关类别成员自己来处理。
- 3、即便上述会议将在 4 月 27 日会议如期召开,会议将不进行选举,而只是一般性交流相关类别性质的界定、成员资格的审核、类别代表的工作职责、类别代表选举委员会产生方式和工作机制、类别选举工作的大致时间进程安排,以及需要在这次会议上,把 CCM 类别代表和列席代表选举的组织移交给上述类别组成员。
- 4、CCM 秘书处应该立即停止其无耻地对外声称上述类别组织缺乏自己的协调良好的代表机制,从而需要 CCM 秘书处来协调和组织的做法;我们认为,中国上述类别组织和公民可以组织好自己类别的选举工作。
 - 5、上述类别代表的选举工作需要多一些时间;我们建议时间改在5月中下旬。
- 6、把那些政府部门办的组织从这个类别中请出去,比如一个叫做 CHAIN 的中国疾病 预防控制中心相关官员、退休官员和研究人员领导的组织需要从以社区为基础组织类别中请出去。
- 7、如果这个署名"中国全球基金项目国家协调委员会秘书处"的组织将继续作为召集 人作为本类别的选举登记和召集工作,北京爱知行研究所将有意在 5 月下旬的某个时间举行 一次有真正代表中国以社区为基础组织类别的代表选举工作,并声明这个所谓秘书处组织的 选举为严重违规。
- 8、爱知行研究所将派人参加 27 日的会议,在会议上,我们将重申我们的上述立场。 我们将反对任何将在 27 日举行的类别代表选举。一旦将发生,我们将立即退出这次选举会 议,并立即发布声明宣布这次选举严重违反全球基金相关决议。

北京爱知行研究所退出 全球基金中国 CCM 以社区为基础组织类别组代表选举的声明

北京爱知行研究所 2006年4月27日发布

2006年4月27日,署名"中国全球基金项目国家协调委员会秘书处"的一个机构,作为"以社区为基础的组织或其它非政府组织"类别组选举会议的召集人,于2006年4月27日上午9:00在北京召开该类别组会议。

会议的主要议题有:

- 1. CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2. 本类别组成员讨论确定本类别组 CCM 成员选举方式;
- 3. 选举本类别组 1 名正式 CCM 成员、2 名参会成员。

北京爱知行研究所参加了这次选举会议,并随后决定退出本次选举会议,并反对目前的 选举,理由如下:

1、按照本次选举会议规定,只有注册的组织可以报名参加本类别选举会议。虽然我们

认为应该支持没有注册组织参加本次会议和有选举权、被选举权、表决权,但是我们认为标准必须是统一的。一些没有注册的组织获准参加了这次会议,但是组织者并没有事先用成文的方式告诉本类别组的未注册组织:未注册组织也可以参加会议。

- 2、一些政府卫生部门和医院办的组织参加了这次会议。我们认为这些组织应该到其他 类别组更加合适。
- 3、鉴于上述原因和其他一些因素,我们认为本次选举违反全球基金第九届理事会关于 CCM 组成和产生方式的决议,也违反"中国全球基金项目国家协调委员会"章程、违反"中国全球基金项目国家协调委员会秘书处"发布的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知"。
- 4、我们认为本次选举存在严重的不透明、不公正、有双重标准,组织者有很多的随意性。

我们随后将发布进一步的资料说明本次选举的情况。

"中国全球基金项目国家协调委员会秘书处"的一个机构作为"以社区为基础的组织或其它非政府组织"类别组召集人2006年4月27日组织的选举会议中的不规范之处

北京爱知行研究所

2006年4月27日,署名"中国全球基金项目国家协调委员会秘书处"(以下简称"CCM秘书处")的一个机构,作为"以社区为基础的组织或其它非政府组织"(内部会议常称为"草根组织")类别组选举会议的召集人,于2006年4月27日上午9:00在北京召开该类别组会议。会议的主要议题有:

- 1. CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2. 本类别组成员讨论确定本类别组 CCM 成员选举方式;
- 3. 选举本类别组1名正式 CCM 成员、2名参会成员。

2006年4月10日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",声明报名截止日期: 2006年4月20日,本类别组选举者和被选举者需符合以下条件:在中国合法注册的以社区为基础的组织或其它非政府组织(内部会议上常称为"草根组织")。

2006年4月24日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议通知",称"自2006年4月10日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称CCM)秘书处发出"CCM以社区为基础的组织或其它非政府组织代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业、关心支持中国CCM工作的以社区为基础及其他非政府组织的热情响应。截至4月22日,报名参加本类别组组织有16个。"

2006年4月27日上午9:00在北京召开该类别组选举会议,一共有18个组织参加了这次会议。 仅仅根据 CCM 秘书处在不同阶段公布的材料来看,我们看到一些明显的问题:

- 1、4月24日发布的选举会议通知上称:截至4月22日,报名参加本类别组组织有16个。但是,4月27日上午参加选举会议的组织有18个。对参选组织数目的变化,CCM秘书处对此没有做出解释。
- 2、4月10日发布的选举通知上明确报名截止日期是2006年4月20日,但是4月24日发布的选举会议通知上说"截至4月22日,报名参加本类别组组织有16个。"对报名截止日期的变化,CCM 秘书处没有做出解释。

显然,CCM 秘书处对上述变化没有作出公开解释的方式,违反本次选举中的"透明和有记录方式"的要求。

根据 4 月 27 日上午该类别组选举会议参会组织名单,我们发现更多的问题:

- 1、一些没有注册的组织参加了这次会议。
- 2、一些企业参加了这次会议,而其应该参加私营企业/公有企业类别组的选举。
- 3、一些政府部门办的组织参加了这次会议,它们显然应该参加"社会团体"类别组的选举, 而不是草根组织类别组的选举。
- 4、一些医疗机构开展的感染者关怀项目作为独立组织参加了这次会议,而这些医疗机构也有参加其他类别组选举的。
 - 5、一些组织的二级机构参加了这个会议,而其组织因而参加多个类别组选举会议。
- 6、一个组织原本要参加另一个类别组选举会议,因为晚到被该类别组拒绝参会,而来到草根组织类别组参加会议。
- 7、一些官办大学和官办社会科学研究机构设立的研究会之类的组织参加了这次会议,其应该参加学术类或社会团体类的选举,而不是草根组织类的选举会议。

基于上述情况,我们看到一个办公室来了两个人参加这个选举会议。

我们很高兴地看到香港地区两个组织参加了这个类别组的这次选举会议。我们希望看到,将来 发布类似选举会议通知的时候,应该主动发布给更多的香港地区的工作于艾滋病、结核病和疟疾的 非政府组织。

北京爱知行研究所在参加 4 月 27 日这次选举会议前、会议上和会议后发布了 2 个正式声明和若干意见,声明我们组织认为本次选举不成熟和违规的意见。对此,CCM 秘书处和相关组织参会人士表达了一些令人困惑的意见,如下:

意见一:全球基金秘书处催促中国赶快签署第五轮项目赠款协议书,而如果中国不能很快产生新的 CCM,根据全球基金第九届理事会决议(参见附录),中国将不能签署第五轮赠款协议,而前几轮项目第二阶段拨款也会遭遇困难。于是产生了下列意见:1)反对本次选举就是耽搁全球基金第五轮项目赠款协议的签署,而许多感染者等待全球基金的援助来购买救命的药物。2)影响中国签署第五轮项目就是不爱国。

我们的反驳是:

- 1)全球基金中国 CCM2006 年 3 月 27 日确定新的试用章程和委托 CCM 秘书处召集草根组织类别组选举和感染者类别组选举后,4 月 10 日和 4 月 12 日之前,CCM 秘书处没有向草根组织类别组和感染者类别组发布公开的信息,也没有主动咨询上述类别组的意见。这个期间,CCM 秘书处去哪里了?时间被谁浪费了?
- 2) CCM 秘书处声称 5 月中旬将召开新的 CCM 大会,届时将确定第五轮赠款协议和相关事务,所以时间上不允许拖延了。我们注意到原定 4 月 27 日下午召开的感染者类别组选举会议因故延期了,我们不知道为啥草根组织类别组选举会议不可以延期?
- 3)全球基金第九届理事会明确要求:代表非政府部门的CCM成员必须由其所在的(每个)部门根据各自制定的成文和有记录方式自行挑选或选举产生。国家协调委员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨款申请的资格。因此,如果中国CCM草根组织代表和感染者代表选举违反全球基金理事会上述决议,其罪责需要由CCM秘书处承担,而不是对选举程序提出怀疑的组织或个人承担。
- 4) 全球基金秘书处现任执行主任 RICHARD FECHEAM 教授确实在推动全球基金批准项目快速签署赠款协议,但是其做法已经受到包括秘书处工作人员的怀疑。4月25日晚上,在日内瓦的一次谈话中,万延海(笔者)和全球基金秘书处1名律师做了深入交谈,介绍了中国 CCM 草根组织类别代表选举和感染者代表选举情况,该律师表示,将愿意和全球基金负责中国基金管理的项目官员交涉,提出可以考虑给中国方面这样的建议:等到中国方面准备好之后再签署赠款协议。

5) 北京爱知行研究所及其员工愿意看到中国广大感染者尽快获得各种援助基金,获得救命的 药物,获得可以用于疾病预防的各项举措,但是我们坚持认为,中国需要建立一个透明、公正和民 主化的机制,来确保相关赠款确实用于善良事业,而不是被腐败的政府或非政府组织滥用。我们并 且认为,全球基金不是中国草根组织和感染者社群获益的唯一途径。

意见二:任何机制的完善需要一个过程,中国CCM已经在不断地改善,而且以后将会更加完善。

我们的反驳是:我们愿意在一开始就致力于推动一个依据充分的社会参与、透明和有记录的方式,由草根组织类别和感染者类别自己来产生各自的 CCM 代表和列席代表。我们相信,只有依据上述方式产生的一个充分参与的草根组织和感染者社群,才能确保各自类别选举出来的 CCM 代表和列席代表将能够代表各自类别组参与 CCM 的相关事务。我们担心的是,一个受到控制的、不透明的、缺乏纪录的、双重标准和可能腐败的过程中产生出来的代表,将在 CCM 各项活动中,依据手中的权力,依照所谓的民主表决的程序,抵制更加广泛的草根组织和感染者参与。我们无法相信一个不良的开始会走向一个不断进步的过程,而更加愿意担心不良的开始将可能导致中国全球基金项目工作走入歧途,而将全球基金变成全球腐败基金。

意见三:没有注册的组织可以参选列席代表。

我们的反驳是:无论新的试用期的 CCM 章程,还是 4 月 10 日发布的选举通知,明确地规定草根组织类别组有选举权和被选举权的条件是注册的组织。按照本次选举会议规定,只有注册的组织可以报名参加本类别选举会议。虽然我们认为应该支持没有注册组织参加本次会议和有选举权、被选举权、表决权,但是我们认为标准必须是统一的。一些没有注册的组织获准参加了这次会议,但是组织者并没有事先用成文的方式告诉本类别组的未注册组织:未注册组织也可以参加会议。

意见四:没有注册的组织可以作为某个组织的分支机构参加选举。

我们的反驳是:这是对民主精神和公正原则的公然践踏。如果某个组织可以派出多个分支机构参加选举,那么哪里有公正和民主可言?

最后,关于草根组织类别成员资格(选民资格),我们愿意再次提出我们 21 日给 CCM 秘书处的一封公开声明中的意见。

关于成为类别成员的条件(对非政府部门而言,意味着获得类别选民资格)

新章程第 2.5 条指出:任何组织或个人均可成为类别组成员,只要其工作领域与第 2.1 条所列类别相关,并且:

- 1) 在中国合法注册的机构、组织,或是中国公民;
- 2) 拥护本 CCM 章程;
- 3) 在中国从事艾滋病、结核病和疟疾防控的工作;
- 4) 参加 CCM 的活动,拥护下面条款 2.13-2.21 中所列的成员权利和义务。

鉴于中国存在大量积极工作于社群的组织或其它非政府组织,并且其中绝大多数没有在政府注册,或者只在工商部门注册,因为注册为社会团体、民办非企业单位或基金会存在相当困难,并且工作于社群的组织并不一定需要注册。因此,我们认为,新章程规定只有在中国合法注册的机构、组织才能获得类别成员资格,并才能享有选举权、被选举权和表决权,实际上侵害和剥夺了中国绝大多数工作于受疾病影响社群的组织参加选举的权利。为此,我们强烈建议,删除新章程关于社群组织或非政府组织必须注册才能成为类别成员的规定。

同时,我们认为,新章程对"中国以社区为基础的组织或其它非政府组织"类别的基本属性做出规定的做法,违反了全球基金第九届理事会关于 CCM 宗旨、机构和组织的决议: "代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据各自制定的成文和透明程序自行挑选或选举产生。"

(CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.) 以上意见与大家共勉。希望我们看到一个民主、透明和有记录的草根组织选举。

2006年5月3日星期三 2005年5月5日修改

关于中国全球基金 CCM 草根组织代表和列席代表的权利、职责以及与本选区内 其他组织交流的意见(征求意见)

"全国草根非政府组织全球基金研讨协商会"组委会 2006年5月8日发布

本征求意见稿根据全球基金第九届理事会相关 CCM 组成的决议(2004 年 11 月)和《中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)》(2006 年 3 月 27 日定稿)起草,提供给工作于艾滋病、结核病和疟疾等三种疾病的草根组织,供他们在选举和推选本类别组(类别选区)国家协调委员会(CCM)代表和列席代表的过程中参考。

我们希望大家提出各自的意见,帮助我们完善这个意见。

撰写本文件的目的:

- 1、帮助草根组织类别选区内的选民(草根组织)明确草根组织 CCM 代表和列席代表的权利和职责,及对其能力和品质的要求;
- 2、帮助草根组织选民总体意识到需要和草根组织 CCM 代表和列席代表建立一个交流协商机制;
- 3、帮助草根组织选民总体建立一个选举和推选代表的机制;
- 4、帮助代表和列席代表参选人、获选代表懂得如何和草根组织选民总体打交道,如何帮助 选民总体表达意见,帮助选民总体参与全球基金在国家层面的管理工作。

我们同意这样的看法:各类别组 CCM 成员代表其类别组观点,而非其本身所属组织的观点。

为了实现上述目的,我们需要开展下列工作:

- 1、建立一个全国性的中国草根组织全球基金研究会,研究和观察全球基金在理事会、执行 层面、CCM、项目执行中的问题,帮助草根组织认识相关事务并做出反应。
- 2、在全国各地建立地区性的全球基金研究兴趣小组,在各项活动中定期通报全球基金相关信息,并收集当地草根组织和目标人群的意见。
- 3、尽快建立一个或多个全国性的草根组织交流和协商机制,建立草根组织工作网络,从而有利于协商 CCM 选举和推选的过程。
- 4、建立全国各个省、直辖市和自治区 CCM 草根组织联络员制度,联络员由当地草根组织选举或推选产生;联络员协助 CCM 草根组织代表和列席代表与全国各地草根组织进行交流;联络员也有助于草根组织共同协商 CCM 代表和列席代表的产生机制。
- 5、建立草根组织 CCM 代表和列席代表通过其各地联络员和草根组织选民交流的机制。
- 6、建立一个可以操作的草根组织 CCM 代表、列席代表和联络员、草根组织组成的一个小型代表团,在每次 CCM 大会之前一周,讨论草根组织选区对相关事务的立场。

7、通过网站、电子邮件组、出版物、会议等方式,开展信息交流。

草根组织 CCM 代表和列席代表需要具备的条件:

- 1、植根于中国受到艾滋病、结核病和疟疾影响的人群,在这些人群中开展工作,对相关人群的疾苦敏感和履行承诺;
- 2、具有大局观,具有在全国范围开展工作的阅历;
- 3、组织在艾滋病、结核病和疟疾三种疾病工作至少2年时间;
- 4、积极在草根组织中开展交流,听取草根组织选民们的意见;
- 5、承诺通过草根组织选民推选出的各地联络员保持与各地组织的联系,承诺建立草根组织 CCM 代表团并通过代表团开展工作;
- 6、组织成员擅长外交方式处理复杂事务;
- 7、组织成员有良好的口语和文字表达能力;
- 8、组织有良好的通讯工具;
- 9、代表和列席代表组织需要安排足够的工作时间、人力资源,为草根组织类别选民开展工作:
- 10、 组织无不良财政和腐败纪录。

代表和列席代表产生机制:有待于5月16-20日的会议上协商确定。

全球基金第九届理事会相关 CCM 组成的意见

根据修改后的全球基金《国家协调委员会(CCM)宗旨、结构和组成以及对基金申请资格要 求的指导意见(修订)》(Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms and Requirements for Grant Eligibility) (由 2005年4月21-22日全球基金第十届理事会决议,其中国家协调委员会宗旨、结构和组织 的指导意见(修订)是根据 2004年11月18日全球基金第九届理事会的决议。国家协调委 员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨款申请的资格。) (These Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms incorporate decisions made by the Global Fund Board at its 9th Board Meeting, November 18, 2004. CCM compliance with these requirements (highlighted in bold) will be used to determine eligibility of proposals submitted from Round 5 onwards and Phase 2 Requests For Continued Funding submitted from June 1, 2005.), 全球基金强调国家协调委员会要有广泛的利益相关方的代表、伙伴关系、平等 和透明下的参与,并规定: "代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据 各自制定的成文和透明程序自行挑选或选举产生。" (CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.) 这些非政府部门包 括非政府组织和基于社区的组织、艾滋病、结核病或疟疾三种疾病的感染者、宗教或基于信 仰的组织、私人机构、学术机构。

中国全球基金项目国家协调委员会(以下简称 "CCM")"以社区为基础的组织或其它非政府组织"(以下简称"草根组织")类别组(选区)代表选举/推选中的若干问题

全国草根组织全球基金研讨协商会组委会 2006 年 5 月 13 日起草

关于全球基金 (GF)

关于国家协调委员会(CCM)

全球基金对 CCM 组成的相关决议

中国 CCM 改革

全球基金专家的意见

草根组织代表选举

我们对 CCM 秘书处召集的草根组织选举会议的意见

草根组织自己组织的本次选举中的若干问题

全国草根组织全球基金研讨协商会议

选区(草根组织类别组)和选民(草根组织)

参会资格

选民资格

选民登记

草根组织 CCM 成员权利、职责、对能力和品质的要求、与类别组成员的交流

候选人登记

选举委员会

选票

投票

监票

点票

公布选举结果

向 CCM 秘书处(北京)和全球基金秘书处(日内瓦)报告选举结果

会议记录

选举观察

透明原则

隐私保护

关于全球基金 (GF)

全球已经受到艾滋病、结核和疟疾的威胁警告。这个全球性的危机需要全球性紧急的应答。有效的应答需要发达国家和发展中国家政府、双边机构、私立机构、志愿者、学术部门、研究人员及私立基金会做出更大的努力。

艾滋病、结核和疟疾的流行范围及影响已经得到公认,需要尽快建立一种新的、全球性的官方和私立合作伙伴机制,以加强在三种疾病上的合作、协调和更大的投入,全面改善健康状况。 建立全球基金的初步设想来自于 2000 年 6 月在日本冲绳举行的八国首脑会议。

2001 年联合国艾滋病特别会议上,这一设想得到了诸多国家政府、国际组织的支持。建立全球基金的目的是通过新建立的官方和私立机构合作伙伴机制,募集、管理和分配资源,将这些资源送往最需要援助的地区,对降低疾病感染率、患病和死亡做出持续而有益的贡献,

从而减轻艾滋病、结核和疟疾在有关国家产生的影响,为新千年减少贫困的发展目标做出贡献。全球基金代表了国际卫生融资的新途径。

全球艾滋病、结核和疟疾基金(全球基金)于 2002 年 1 月 28-29 日在瑞士日内瓦召开第一次理事会,标志着全球基金正式开始运转。全球基金网址: www.globalfundatm.org。

全球基金是一个财务机制,不是实施实体。 依靠国家级 CCM 的伙伴机构、组织,实施项目。 在保证财务和项目负责、透明的同时,促进资金向目标人群的快速支付。

全球基金强调受援国的所有权和可信性,培养新的合伙伙伴关系,以应对三种疾病的威胁。保留监督项目成效最终的责任,根据结果决定进一步资助。

关于中国国家协调委员会(CCM)

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(China Country Coordination Mechanism for the Global Fund to Fight AIDS, Tuberculosis and Malaria Project,以下简称 CCM),是根据全球抗击艾滋病、结核病和疟疾基金(以下简称全球基金)的有关要求,为审议、批准和协调申请全球基金项目,监督和指导经全球基金批准在中国境内实施的项目而建立的协调机制。

CCM 坚持"公开透明、广泛参与、高效运作"的原则,积极为全球基金项目在中国的顺利实施做出贡献。

全球基金对 CCM 组成的相关决议

根据修改后的全球基金《国家协调委员会(CCM)宗旨、结构和组成以及对基金申请资 格要求的指导意见(修订)》(Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms and Requirements for Grant Eligibility)(由 2005年4月21-22日全球基金第十届理事会决议,其中国家协调委员会 宗旨、结构和组织的指导意见(修订)是根据 2004年11月18日全球基金第九届理事会的 决议。国家协调委员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨 款申请的资格。)(These Revised Guidelines on the Purpose, Structure and Composition of Country oard Meeting, November 18, 2004. CCM compliance with these requirements (highlighted in bold) will be used to determine eligibility of proposals submitted from Round 5 onwards and Phase 2 Requests For Continued Funding submitted from June 1, 2005.), 全球基金强调国家协调委员会要有广泛的利益相关方的代表、伙伴关系、平等和透明下的参与, 并规定: "代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据各自制定的成文和透明 程序自行挑选或选举产生。"(CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.) 这些非 政府部门包括非政府组织和基于社区的组织、艾滋病、结核病或疟疾三种疾病的 感染者、宗教或基于信仰的组织、私人机构、学术机构。

全球基金会建议所有国家"力图"在其国家协调委员会中"包括":

- (a) 学术/教育部门;
- (b) 非政府组织/社会组织;
- (c) 爱滋病、肺结核与疟疾感染者[这是要求的];
- (d) 私人部门:
- (e) 宗教/信仰组织;

- (f) 政府;
- (g) 国内多边和双边发展合作伙伴。

全球基金会建议国家协调委员会成员中至少有40%来自以上从(a)到(e)的部门,即至少40%的成员来自国内国际的非政府部门。

中国 CCM 改革

全球基金中国国家协调委员会 (CCM) 第十一次全体大会于 2004 年 11 月 24 日下午在北京广州大厦举行。54 个 CCM 成员中的 34 个成员单位派员参加了会议,参见:

http://211.167.248.4/globalfund/documents/CCM_minutes_11_cn.pdf

与会成员在 CCM 常务小组建议的基础上,结合最新理事会的决定,对 CCM 改革事宜进行了讨论,并达成了如下的建议和意见:

- 1、成立特别工作小组负责 CCM 改革事宜,小组成员是开放性的,有兴趣参与该工作小组的 CCM 成员都可向 CCM 秘书处报名参加,并提出评估的内容和建议(TOR)。
- 2、邀请独立的评估机构评估中国 CCM 的现状和过去的工作成果,借鉴全球基金对 CCM 的建议和其他国家 CCM 成功的经验,提出改善中国 CCM 工作的建议。
- 3、由卫生部、世界卫生组织(WHO)、英国国际发展署(DFID)和 CCM 秘书处在收集各位成员对 TOR 的意见之后,负责筛选评估机构,确定评估的框架和基本意见。
- 4、对现有 CCM 成员进行评估和必要的调整,进一步明确成员的职责和义务,增加成员的代表性和广泛性,明确 CCM、PR、LFA 在项目执行中的职责。

全球基金中国国家协调委员会第十二次全体会议于2005年3月21日下午在北京广州大厦举行,54个CCM成员中的26个派员参加了会议,参见:

http://211.167.248.4/globalfund/documents/CCM minutes 12 cn.pdf

CCM 特别工作组根据第十一次 CCM 会议决议成立,专门负责 CCM 改革事宜。特别工作组于 1 月 18 日召开第一次会议,明确了工作组成员、工作组职责、任务、存续期限以及 CCM 评估章程和评估人的任务,选择了独立评估人 Bernard Rivers 对中国 CCM 进行评估。

独立评估人 Bernard Rivers 于 2 月 17 日至 3 月 1 日对 CCM 进行了评估。3 月 2 日特别工作组召开第二次会议,听取了独立评估人的报告,对报告中关于 CCM 的建议进行了讨论并提出意见和建议,要求 Bernard Rivers 根据这些意见对评估报告进行修改,撰写最终报告提交特别工作组。

与会成员对有关 CCM 改革的建议进行了讨论,提出的意见和建议如下:

- 1. CCM 改革要与全球基金的要求保持一致,全球基金的要求在变化,CCM 改革也应该跟得上这种变化。全球基金在世界各国都有 CCM,中国 CCM 的改革也可以借鉴其他国家的成功经验。
- 2. 报告中提出的改革建议过于理想化,应该结合中国的实际情况和 CCM 的运行现状,提出现实的、具有可操作性的建议。
- 3. 对 CCM 的评估,首先要对 CCM 运行现状和工作情况作一个评估,再根据评估的结果提出相应的改革建议。评估人对 CCM 的现状没有多少评价,而将建议集中在成员的数量、构成和运行架构上,这些建议都不太符合中国 CCM 的实际情况。
- 4. CCM 在 6 月份要向全球基金提交第五轮项目申请书,与此同时所有关于 CCM 的变化也要一起提交全球基金,因此,CCM 改革需要在 6 月份提交申请书之前完成。

会议决定在会上暂不讨论 CCM 改革的细节,所有 CCM 成员的意见都可以反馈给 CCM 秘书处,再提交特别工作组。关于评估报告,特别工作小组已经要求评估人进行修改,待完稿后发送给 CCM 成员审阅,征求意见。

全球基金中国国家协调委员会 (CCM) 第十四次会议于 2005 年 10 月 17 日在北京广州大厦召开,参见: http://211.167.248.4/globalfund/documents/CCM minutes 14 cn.pdf

CCM 特别工作小组代表,英国国际发展署(DFID) 谭威汇报了 CCM 章程修改的情况。 谭威介绍了 CCM 特别工作小组成立以来的工作进展和下一步工作计划,重点介绍了 CCM 章程修改的主要内容。

会议对报告中提出的几个方面的内容进行了讨论,提出了以下问题:

- (一)在章程中对 PR 的选择没有确定标准,建议明确什么样的组织、具备什么样的条件才能成为 PR。
- (二)加入 CCM 的基本条件第一条 "2.10 a)已在中国合法注册或是中华人民共和国的合法公民",建议再斟酌。
- (三)章程中规定主席和副主席的任期两年,而对其它成员没有规定,是否也需要对其它成员的任期做出规定?主席或副主席任期届满,如果没有合适的其他人选出任主席或副主席,是否可以选择连任?

与会成员还提出了关于国际非政府组织参与、类别组代表产生程序和工作机制、PR 未来的职责等问题。

会议决定, CCM 修改的章程(第二、三、四章) 将由 CCM 秘书处在中国全球基金项目 网上公开征求意见,为期一个月(2005年10月17日至11月17日),由 CCM 秘书处收集反馈信息,提交给特别工作小组讨论。

同时,CCM 秘书处将修改的章程(第二、三、四章)的通知通过电子邮件和传真通知所有的CCM 成员。

全球基金中国国家协调委员会秘书处随后在网站上发布了"全球基金中国 CCM 征求关于 CCM 章程修改的意见"的公告,参见:

http://211.167.248.4/globalfund/articledetail.asp?ID=376

全球基金中国国家协调委员会章程(修改稿)二〇〇五年十二月二十二日通过,再次征求意见,参见"CCM 章程再修改征求意见":

http://211.167.248.4/globalfund/ccm/ccmtor%20051222 cn.pdf

全球基金中国国家协调委员会 (CCM) 第十五次会议于 2006 年 2 月 20 日在北京广州大厦召开,参见: http://211.167.248.4/globalfund/documents/CCM_minutes_15_cn.pdf

CCM 特别工作组副主席、世界卫生组织驻华代表贝汉卫汇报了 CCM 章程修改情况, CCM 特别工作组主席、卫生部任明辉介绍了 CCM 改革时期的过渡方案。

中国全球基金项目国家协调委员会(CCM)特别工作组会议于2006年3月27日在卫生部107会议室召开。会议由CCM主席单位代表、卫生部国际合作司副司长任明辉主持。世界卫生组织、英国国际发展署、联合国艾滋病规划署、联合国人口基金会、中国性病艾滋病防治协会、以及东北制药均派员参加了会议,参见:

http://211.167.248.4/globalfund/articledetail.asp?ID=527

本次会议的主要内容如下:

1、根据所有 CCM 成员对章程的反馈意见,特别工作小组对第十五次 CCM 全体会议上原则通

过的 CCM 章程进行了进一步的润色修改,并一致通过,自 2006 年 3 月 27 日起实施。

2、根据第十五次 CCM 全体会议上通过的 CCM 改革过渡时期工作方案,决定各类别组选举自 2006 年 3 月 30 日起开始,由各类别组召集人负责组织,原则上在 4 周内完成各类别组 CCM 成员的推举工作。CCM 秘书处将各召集人的联系方式在全球基金中国项目网站上公布,并通知相关机构和单位,凡感兴趣的组织均可与召集人联系参加。

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行) http://211.167.248.4/globalfund/ccm/ccmtor cn.pdf

CCM 研究专家的意见

选自《中国国家协调委员会——下面几步》(应中国国家协调委员会(Country Coordinating Mechanism, CCM)的请求而作。作者:伯纳德·里夫斯(Bernard Rivers)伯纳德是英国出生,现居美国的经济学家,全球基金会首席专家,在全球基金会董事会会议中获得了观察员身份。第2稿:2005年5月9日)

关于国家协调委员会的组成和参与

全球基金的建议和要求:

全球基金会建议所有国家"力图"在其国家协调委员会中"包括":

- (a) 学术/教育部门;
- (b) 非政府组织/社会组织:
- (c) 爱滋病、肺结核与疟疾感染者[这是要求的]:
- (d) 私人部门:
- (e) 宗教/信仰组织;
- (f) 政府;
- (g) 国内多边和双边发展合作伙伴。

全球基金会建议国家协调委员会成员中至少有40%来自以上从(a)到(e)的部门,即至少40%的成员来自国内国际的非政府部门。

- •中国的国家协调委员会中不包含任何草根NGO。把它们排除在外似乎很不好。但更重要的是,把它们排除在外意味着国家协调委员会把抗击三种疾病的重要武器,和能够提供农村地区如何实施全球基金会资助这一重要信息的人排除在外。
- •中国的国家协调委员会中不包含任何特别代表北京之外的组织/社团/行动的组织。这也是个严重问题,因为大多数资助的实施发生在省/区/县级,重要的决策都是省/区/县当局做出的。主要受赠者往往(理所当然地)并不详细了解正在做的工作和当局做出的决定,以及他们面对的问题。
- •由以上两点引出的问题是:草根NGO能协助在农村地区实施特定的资助。它们也能协助监督农村地区由地方当局执行(至少是控制)的资助实施。国家协调委员会需要了解——并告诉主要受赠者——农村地区的成功、失败和其他可供选择的行动方式。

全球基金的建议和要求:

全球基金说国家协调委员会中代表五个"非政府"部门(学术/教育,非政府组织/社会组织,爱滋病、肺结核与疟疾感染者,私人部门,宗教/信仰组织)的成员必须根据每个部门中制订的成文而且透明的程序,由该部门自行选出。

专家发现:

国家协调委员会秘书处说以上各部门中除了宗教/信仰组织(在国家协调委员会中没有代表)之外,这一要求已经实现。这种说法很难理解——它很可能是建立在误解之上的。尽管我向国家协调委员会秘书处要证明文件,但没有提供。对每个部门来说,我都没有看到有任何证据说这些部门中的大量组织正在用该部门制订的透明、成文的方法来集体决定由哪个组织在国家协调委员会中代表该部门。

草根组织目前不是国家协调委员会成员,因为它们感到自己不受欢迎,还因为目前国家协调委员会的章程(Terms of Reference, TOR)具体说明委员会成员必须在中国合法登记运转。(草根NGO认为这意味着它们必须登记为NGO而不是公司。草根NGO登记为公司很难,登记为NGO几乎是不可能的。许多NGO在完全没有登记的情况下有效地工作着。)

专家意见:

尽管大多数情况下草根NGO不可能登记为NGO或公司,但它们在国家协调委员会中有一席之地是很重要的。这是因为:

- 它们中包含了许多致力于抗击三种疾病的人,他们很少指望从自己的工作中获得 回报。
- 他们能够向国家协调委员会提供有关疾病的影响及目前的预防、治疗、护理和支持计划的成败的重要信息。(如果国家协调委员会十年前就存在,如果草根NGO当时就在国家协调委员会中有代表,前卖血者带来的危机就不会到达今天那样的高峰。)
- 如果它们被阻止参加国家协调委员会,全球基金会可能会考虑它们绕过委员会提 交的方案。

草根组织代表选举

2006 年 4 月以来,CCM 秘书处发布了一系列的关于中国全球基金项目国家协调委员改革的重要文件,参见: http://211.167.248.4/globalfund/articledetail.asp?ID=528, 包括"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",相关信息如下:

- 1、2006 年 4 月 10 日, CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",声明报名截止日期: 2006 年 4 月 20 日, 本类别组选举者和被选举者需符合以下条件:在中国合法注册的以社区为基础的组织或其它非政府组织(内部会议上常称为"草根组织")。
- 2、2006 年 4 月 24 日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议通知",称" 自 2006 年 4 月 10 日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称 CCM) 秘书处发出"CCM 以社区为基础的组织或其它非政府组织代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业、关心支持中国 CCM 工作的以社区为基础及其他非政府组织的热情响应。截至 4 月 22 日,报名参加本类别组组织有 16 个。"
- 3、2006年4月27日,"中国全球基金项目国家协调委员会秘书处"(以下简称"CCM秘书处"),作为"以社区为基础的组织或其它非政府组织"(内部会议常称为"草根组织")类别组选举会议的召集人,于2006年4月27日上午9:00在北京召开该类别组会议。

会议的主要议题有:

- 1) CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2) 本类别组成员讨论确定本类别组 CCM 成员选举方式;

3)选举本类别组1名正式 CCM 成员、2名参会成员。 2006年4月27日上午9:00在北京召开该类别组选举会议,一共有18个组织参加了这次会议。

我们对 CCM 秘书处召集的草根组织选举会议的意见

仅仅根据 CCM 秘书处在不同阶段公布的材料来看,我们认为存在以下违背程序正义的问题:

- 1、4月24日发布的选举会议通知上称: 截至4月22日,报名参加本类别组组织有16个。但是,4月27日上午参加选举会议的组织有18个。对参选组织数目的变化,CCM秘书处对此没有做出解释。
- 2、4月10日发布的选举通知上明确报名截止日期是2006年4月20日,但是4月24日发布的选举会议通知上说"截至4月22日,报名参加本类别组组织有16个。"对报名截止日期的变化,CCM秘书处没有做出解释。显然,CCM秘书处对上述变化没有作出公开解释的方式,违反本次选举中的"透明和有记录方式"的要求。

根据 4月27日上午该类别组选举会议参会组织名单,我们还提出更多对实质问题的质疑:

- 1、一些没有注册的组织参加了这次会议。
- 2、一些企业参加了这次会议,而其应该参加私营企业/公有企业类别组的选举。
- 3、一些政府部门办的组织参加了这次会议,它们显然应该参加"社会团体"类别组的选举, 而不是草根组织类别组的选举。
- 4、一些医疗机构开展的感染者关怀项目作为独立组织参加了这次会议,而这些医疗机构也有参加其他类别组选举的。
- 5、一些组织的二级机构参加了这个会议,而其组织因而参加多个类别组选举会议。
- 6、一个组织原本要参加另一个类别组选举会议,因为晚到被该类别组拒绝参会,而来到草根组织类别组参加会议。
- 7、一些官办大学和官办社会科学研究机构设立的研究会之类的组织参加了这次会议,其应该参加学术类或社会团体类的选举,而不是草根组织类的选举会议。

鉴于上述原因和其他一些因素,我们认为本次选举违反全球基金第九届理事会关于 CCM 组成和产生方式的决议,也违反"中国全球基金项目国家协调委员会"章程、违反"中国全球基金项目国家协调委员会秘书处"发布的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知"。

我们认为本次选举存在严重的不透明、不公正、有双重标准,组织者有很多的随意性。

草根组织自己组织的本次选举中的若干问题

全国草根组织全球基金研讨协商会议:

2006 年 5 月 6 日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳 兰文化传播中心、武汉馨缘工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国 输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和 天津市血友病联谊会等 9 个组织共同发出举办"关于召开全国草根非政府组织全球基金研讨 协商会的通知",定于2006年5月16-20日在北京召开全国工作于艾滋病、结核病和疟疾三种疾病草根非政府组织关于全球艾滋病、结核病和疟疾基金(以下简称"全球基金")相关问题的研讨协商会,目的在于建立中国草根组织的网络和协商机制,组织全球基金中国国家协调委员会中国工作于上述三种疾病草根组织代表和列席代表的选举。

本次会议依据全球基金理事会和中国 CCM 章程的相关规定,如下:

根据修改后的全球基金《国家协调委员会(CCM)宗旨、结构和组成以及对基金申请资 格要求的指导意见(修订)》(Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms and Requirements for Grant Eligibility)(由 2005年4月21-22日全球基金第十届理事会决议,其中国家协调委员会 宗旨、结构和组织的指导意见(修订)是根据2004年11月18日全球基金第九届理事会的 决议。国家协调委员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨 款申请的资格。)(These Revised Guidelines on the Purpose, Structure and Composition of Country Coordinating Mechanisms incorporate decisions made by the Global Fund Board at its 9th Board Meeting, November 18, 2004. CCM compliance with these requirements (highlighted in bold) will be used to determine eligibility of proposals submitted from Round 5 onwards and Phase 2 Requests For Continued Funding submitted from June 1, 2005.), 全球基金强调国家协调委员会要有广泛的利益相关方的代表、伙伴关系、平等和透明下的参与, 并规定: (CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.) 这些非政府部门包括 非政府组织和基于社区的组织、艾滋病、结核病或疟疾三种疾病的感染者、宗教 或基于信仰的组织、私人机构、学术机构。

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(CCM)工作章程(试行)相关精神如下:

CCM 坚持"公开透明、广泛参与、高效运作"的原则,积极为全球基金项目在中国的顺利实施做出贡献。

CCM 由 22 名成员组成。包括如下召集人和类别组代表:

2.1.3 非政府部门(6)

- 11) 中国疾病预防控制中心(中国疾控中心)
- 12) 1 名中国专业和教育机构代表
- 13) 1 名中国人民团体(包括宗教团体)代表
- 14) 1 名中国社会团体代表
- 15) 1 名中国以社区为基础的组织或其它非政府组织代表
- 16) 1 名国际非政府组织代表
- 2.1.4 中国艾滋病、结核病、疟疾患者或感染者代表
- 17)1 名中国艾滋病、结核病、疟疾患者或感染者代表
- 2.1.5 私有/公有企业的代表
- 18) 1 名私有/公有企业代表
- (注: 其中,"以社区为基础的组织或其它非政府组织"通常称之为"草根组织",特别在内部会议上。)

各类别组自己推选其本类别 CCM 成员。代表应通过公开透明、有记录的程序从其本组中产生。

我们对 CCM 章程中对草根组织类别成员资格必须是注册组织的规定持反对态度。鉴于中国存在大量积极工作于社群的组织或其它非政府组织,并且其中绝大多数没有在政府注册,或者只在工商部门注册,因为注册为社会团体、民办非企业单位或基金会存在相当困难,并且工作于社群的组织并不一定需要注册。因此,我们认为,新章程规定只有在中国合法注册的机构、组织才能获得类别成员资格,并才能享有选举权、被选举权和表决权,实际上侵害和剥夺了中国绝大多数工作于受疾病影响社群的组织参加选举的权利。

同时,我们认为,新章程对"中国以社区为基础的组织或其它非政府组织"类别的基本属性做出规定的做法,违反了全球基金第九届理事会关于 CCM 宗旨、机构和组织的决议:"代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据各自制定的成文和透明程序自行挑选或选举产生。"(CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector.)

CCM 章程对成为不同"类别组成员及代表"规定如下:

- 2.5 任何组织或个人均可成为类别组成员,只要其工作领域与2.1 所列类别相关,并且:
- 1) 在中国合法注册的机构、组织,或是中国公民;
- 2) 拥护本 CCM 章程;
- 3) 在中国从事艾滋病、结核病和疟疾防控的工作;
- 4) 参加 CCM 的活动,拥护下面条款 2.13 2.21 中所列的成员权利和义务。

CCM 章程规定:"必要时,CCM 秘书处可协助某些类别组完成代表推选过程。"4月10日和4月12日,CCM 秘书处作为召集人分别发布选举通知:

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知

http://211.167.248.4/globalfund/articledetail.asp?ID=534

中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会感染者类别组代表选举的通知 http://211.167.248.4/globalfund/articledetail.asp?ID=549

我们认为,CCM 秘书处不宜作为草根组织类别组的召集人。CCM 秘书处以中国草根组织缺乏全国性的协商机制为由,自告奋勇地担当草根组织类别组选举召集人,其结果也证明这种做法是不当的。

我们认为,即便 CCM 秘书处作为召集人,其也应该充分地听取草根组织类别成员们的意见后,协助该类别形成自己的选举委员会,然后由其类别组自己组织选举或推选 CCM 代表和列席代表事宜。

鉴于上述分析,**全国草根组织全球基金研讨协商会议的组织者们规定**:任何工作于艾滋病、结核病和疟疾的草根组织可以报名参加本次会议。报名者需要递交参会报名表、签署组织独立性、非政府性和非营利性声明、是否需要获得参会资助声明等。

草根组织选区(草根组织类别组)和选民(类别组成员):

本次会议对中国草根组织的界定等同于或接近于 CCM 章程中的"中国以社区为基础的组织或其它非政府组织"。我们把"中国以社区为基础的组织或其它非政府组织"(草根组织)类别组称之为"草根组织选区",而这些草根组织则称之为"选民"或"类别组成员"。

本次会议对草根组织的界定:

- 1、可以是注册的组织,也可以是没有注册的组织,如果是注册的组织,可以是在民政部门注册的组织,也可以是在工商部门注册、但主要从事非营利活动的公益组织,或在政府其他部门注册的组织;
- 2、在中国从事艾滋病、结核病和疟疾防治的工作;
- 3、非政府性:不是由政府部门创办的社会团体、民办非企业单位或基金会等,而是民间人士独立发展起来的:
- 4、从事非营利性工作:
- 5、在中国成立的以社区为基础的组织或其它非政府组织,通常称为草根组织;
- 6、独立性:组织不是某个组织的下属或分支组织或项目。独立性主要体现在组织的负责人来自一线社群工作的主要责任人,而不是由上级组织委派。组织决策是独立的。
- 1) 宗教相关的组织: 宗教组织本身不符合本次会议对草根组织的定义, 但是宗教组织或教 友们创办的在中国从事艾滋病、结核病和疟疾防控的工作公益性组织符合本次会议的定义;
- 2) 医院或卫生部门相关的组织:无论是公办医院或私家医院,不符合本次会议对草根组织的定义;如果是医院或卫生部门创办的病人关怀项目或目标社群工作项目,即便是注册了,不符合本次会议对草根组织的定义;如果是病人支持组织或社群工作组织挂靠在医院或卫生部门,符合本次会议对草根组织的定义;
- 7、大学和官办社会科学研究院(所)下设的机构或成立的组织不符合本次会议对草根组织的定义:
- 8、依靠网站开展工作,但具备组织形态、经常开展实体性活动的,可以作为草根组织参加 本次会议。

与会代表对某个或某些参会组织资格有怀疑者,可以在会议开始后进行讨论。

会议组织者对参会资格有解释权。对组织者们不熟悉的组织,组织者有权要求相关报名组织提供更多的材料。

参会资格:

在会议通知中(参见: http://www.aizhi.net/index.asp?action=article_Show&ArticleID=675), 对草根组织的性质界定和参会资格予以了说明,如下:任何工作于艾滋病、结核病和疟疾的草根组织可以报名参加本次会议。报名者需要递交参会报名表、签署组织独立性、非政府性和非营利性声明、是否需要获得参会资助声明等。报名截止日期和时间:2006年5月14日下午6点。报名需要获得组织者确认邀请,才能参加本次会议。

选民资格:

虽然我们支持任何有意愿参加本次会议的草根组织与会,但是我们需要说明的是,并非所有参加本次会议的组织将有资格参加中国全球基金 CCM 草根组织代表和列席代表的选举过程。与会代表对某个或某些参会组织资格有怀疑者,可以在会议开始后进行讨论。本次会议上,将对选民资格(对 CCM 草根组织代表和列席代表选举有选举权、被选举权和表决权)进行充分的讨论,现场确定本次会议将要实行的选民资格认定的标准,比如可能要考虑组织发展的时间、组织对三种疾病的贡献等。随后在参会组织中现场进行选民登记,进行代表和列席代表的候选人登记,候选人们举行现场的演讲,发表承诺,最后组织代表和列席代表的选举。

选民登记:

虽然理论上,所有工作于艾滋病、结核病和疟疾的草根组织称为草根组织选区的选民,并可以报名参加本次会议,但是本次会议将根据与会代表们的意见,制定中国草根组织选区的选民基本资格标准,然后依照标准,对所有与会者中符合条件的组织进行登记,依此确定哪些组织获得本选区的选举权、被选举权和表决权。只有获得选民资格的组织,才能推荐自己或其他组织参选 CCM 代表和列席代表,并参加投票。1 个获得选民资格的组织只有 1 张 选票。

草根组织 CCM 成员权利、职责、对能力和品质的要求、与类别组成员的交流:

参见"关于中国全球基金 CCM 草根组织代表和列席代表的权利、职责以及与本选区内 其他组织交流的意见(征求意见)"("全国草根非政府组织全球基金研讨协商会"组委会,2006 年 5 月 8 日),http://www.aizhi.net/index.asp?action=article Show&ArticleID=681

候选人登记:

在选民登记后,根据与会代表对草根组织 CCM 成员的职责、权利、对能力和品质的要求以及和相关社群交流的意见,获得选民资格的与会代表报名或推荐候选人,参选 CCM 代表和列席代表。CCM 代表候选人报名和推选工作 5 月 17 日下午先进行。在 18 日下午 CCM 代表选出后,考虑不同性质草根组织的参与需求、性别比例、地域分布、组织能力等因素,举行列席代表候选人报名和选举。

竞选和交流:

候选组织需要说明自己组织的能力、品质、希望与各个草根组织建立的关系,并通过大会、小会、休息时间,充分向与会组织介绍自己组织的情况和对 CCM 的承诺。

我们鼓励各个组织自带80份本组织介绍资料、工作报告和研究报告,在会议上交流。

选举委员会:

选举委员会在本次会议组委会基础上产生。在考虑连续性的基础上,准备报名参选 CCM 代表和列席代表的组织成员需要退出,并吸纳 2-3 名新人(可以是获得选民资格的、也可以不是,也可以会议的观察员们),形成一个新的负责本次选举的委员会。委员会在 5 月 16 日下午结束的时候产生,在 5 月 16 日开会讨论接下来的活动安排。

预选:

根据候选人报名情况,本次选举采取一次性直接选举、1次或多次预选的方式。其具体方式由获得选民资格的与会代表现场决定。

选票: 根据候选人报名情况和确定的选举次数,由选举委员会编制、组织发放、解释等。

投票: 投票采取记名投票或无记名投票。需要获得选民资格的与会代表现场决定。

点票: 选举委员会在选举投票后,负责对选票情况进行统计和分析。

公布选举结果: 选举委员会宣布选举结果。

向 CCM 秘书处(北京)和全球基金秘书处(日内瓦)报告选举结果:

在 5 月 18 日选举结束后,选举委员会负责把选举结果立即用中文和英文报告全球基金秘书处(日内瓦)和中国 CCM 秘书处(北京)。随后,选举委员会在会议记录人员的帮助下,在选举观察员们的帮助,整理一份详细的选举文件,说明选举组织过程和选举结果。

会议记录:

会务组通过文字、录音、摄像、摄影等方式对会议过程进行纪录。在会议室内,除会务组安排的摄像和摄影,任何其他人不得自行摄像和摄影。会议期间,文字记录和录音,对任何人开放。任何文字记录、录音和其他纪录方式,在使用纪录的材料时,需要采取谨慎和与会者、会务组协商的方式。会务组安排的摄像和摄影资料,由会务组专人保管,并只能用于给 CCM 秘书处和全球基金秘书处的报告中。

透明原则

会议上,任何组织表达的意见需要被记录,并可以在必要的情况下被公开。选举委员会成员及其所在的组织、CCM 代表候选人或获选者、会议主持人等,需要有多一点的透明。

隐私保护:

会议发布的任何信息需要考虑参会者个人隐私信息的保护。参会者也需要充分考虑个人隐私信息的保护。

CCM 代表和列席代表候选组织或获选组织需要有更多的透明,并需要接受公众责疑和挑战。

感染者们,报名参加选举去!

北京爱知行研究所 2006年4月17日发布

全球基金在世界范围提供艾滋病、结核病和疟疾三种世界性传染病的防控经费。全球基金艾滋病、结核病和疟疾项目在各国的管理机构是一个叫做"国家协调委员会"(简称 CCM)的机构。目前,中国 ccm 正在进行改革。新的 ccm 将由不同类别的代表组成,其中包括非政府部门和三种疾病的感染者代表。目前,给感染者(艾滋病、结核病或疟疾患者或感染者)类别的代表 1 名,列席代表(观察员) 2 名。

虽然我们认为应该给予感染者类别更多的代表名额,我们认为至少有2个名额,但是我们依然呼吁中国各地的感染者们,如果台湾、香港和澳门的感染者也认为自己是中国一部分的话,积极报名参加本次全球基金中国 ccm 的改革选举工作。

目前,ccm 秘书处正在组织感染者类别成员登记(选民登记)工作。相关选举的通知和感染者类别成员(选民)报名表参见附件和下列网址:

http://211.167.248.4/globalfund/articledetail.asp?ID=549

参选的意义:

- 1、全球基金管理着大量资金,目前有 3.9 亿美元被批准用于中国的艾滋病、结核病和疟疾项目;
 - 2、全球基金鼓励公民社会组织和疾病的感染者参与疾病防治工作中;
 - 3、目前全球基金中国 ccm 受到政府控制,各个项目资金也被政府控制;
 - 4、目前政府卫生部门管理项目资金的方式严重不透明;
 - 5、感染者们需要选举出自己信任的代表和列席代表,参加 ccm 工作;

- 6、报名参加选举,获得选民资格,将有机会选举出自己信任的代表,并提出代表们应该履行的责任、工作程序、信息分享、代表和选民的关系等进行界定;
- 7、中国 ccm 选举将推动感染者社群的民主意识和参与精神,提高感染者社群在社会上的发言权力;
- 8、感染者社群可以通过不同社群的民主协商机制,进一步完善本类别选区里的选举和 代表履行职责的工作。

用一句通俗的话说,感染者社群只有真正意义上掌握了对全球基金中国 ccm 的影响力,才能更好地帮助本类别成员获得更多的全球基金援助基金,并发挥更好的作用。

感染者朋友们,报名参加选举去吧!

爱知行研究所关于资助中国各地区艾滋病/结核病/疟疾感染者类别成员参加全球基金中国国家协调委员会感染者类别代表和列席代表选举的说明

北京爱知行研究所 2006年4月25日发布

所有报名参加全球基金中国国家协调委员会(CCM)艾滋病、结核病和疟疾三种疾病感染者类别选举的类别成员(选民),符合下列条件的,可以从爱知行研究所申请相关经济资助:

- 1、报名参选者,其类别成员资格已经获得 ccm 确认,并和 ccm 确认将在 27 日参加这次选举相关会议:
- 2、不是全球基金各地项目办公室推荐的感染者;不是政府部门、政府机构和官办民间组织推荐的感染者;
- 3、北京地区以外的感染者:
- 4、2006年4月27日参加类别成员的会议和可能的选举;
- 5、填写申请表,提出申请。

符合上述条件的, 将全部可以从爱知行研究所获得下列资助:

- 1、用火车和汽车在 12 小时以内可以到达北京的,资助总金额不超过 500 元;需要凭借车票报销;饮食、通讯费用,不报销;开具的旅店发票必须注明"北京知爱行信息咨询中心",否则不能报销;旅店报销天数为 1-2 天:
- 2、用火车和汽车在12-24小时可以到达北京的,资助总金额不超过1000元;需要凭借车票报销;饮食、通讯费用,不报销;开具的旅店发票必须注明"北京知爱行信息咨询中心",否则不能报销;旅店报销天数为1-2天;
- 3、用火车和汽车在 24 小时以内可以到达北京的,资助总金额不超过 500 元;需要凭借车票报销;饮食、通讯费用,不报销;开具的旅店发票必须注明"北京知爱行信息咨询中心",否则不能报销;旅店报销天数为 1-2 天;
- 4、未经同意,飞机票将不能被报销;
- 5、有特殊困难的,可以事后提出额外的申请。

爱知行研究所为下列人员在有需要的情况下(比如路途遥远、乘坐飞机、费用贵)提供特殊的资助:

- 1、符合上述资助条件,并准备报名参选类别代表和列席代表的感染者;
- 2、报名参选人数极度缺乏、艾滋病流行严重的地区;

- 3、少数民族地区感染者;
- 4、边远地区卖血和输血感染艾滋病病毒者;
- 5、性少数人群感染者;
- 6、毒品严重地区的感染者。

爱知行研究所对具体候选人不做任何支持或反对的立场,而坚持全球基金一般性原则:透明、民主和参与;也要求所有工作人员和所有协助爱知行研究所相关工作的人员或组织,不得在相关全球基金 ccm 感染者类别代表和列席代表选举事务上,在爱知行研究所处理相关资助事务上,对具体候选人提出支持或反对的立场。

鉴于时间仓促,爱知行研究所不能马上解决所有参会者的报销问题,但是将在会议现场给每个需要资助的参会者提供申请表、票据表格,并派 3 名专职人员负责相关事务。研究所接到各位回程票后,将在 10 天之内完成报销事宜。申请者将需要提供自己的姓名、身份证号码、通信地址和联系电话等信息。

爱知行研究所建议参会者认真考虑自己健康状况,并带必要的药品和作健康上的安排; 爱知行研究所不为任何参会者出现的健康意外承担责任;爱知行研究所愿意积极为各位感染 者可能遇到的健康危机作必要的救援准备,但是将无法提供医疗上资助;我们认为,医疗上 的救援问题,可以找 ccm 秘书处安排。

爱知行研究所将在 2006 年 4 月 28 日和 29 日,作有关毒品伤害控制、艾滋病合并感染结核病和病毒性肝炎相关治疗的培训,并开展全球基金相关问题的研讨会,欢迎上述感染者们参与。凡是参加 28-29 日会议的朋友,将获得另外三天的住宿和伙食资助,这些将由爱知行研究所统一安排。为参加爱知行研究所相关会议,将获得一些交通补助。

爱知行研究所政策项目将随后发布进一步通知,提供28-29日会议相关旅店和会议地点的信息。

鉴于时间仓促,研究所所长目前在海外开会,在相关事务中出现的各项问题,请大家保持冷静和商榷的态度来处理。

如果需要获得进一步信息,可以联系爱知行研究所政策项目:梁艳艳、赵珂和杨阳,010-88114652。

第五部分:中国 CCM 选举评估报告

<u>译者注:爱知行和联合国艾滋病规划署翻译稿,如有不符合作者原意的地方,作者确切意</u> 思请参见原文

中国 CCM 选举评估报告

Bernard Rivers (rivers@aidspan.org) , 邱仁宗 (giurenzong@hotmail.com)

初稿: 2006年6月18日

注: 本文件是初稿。我们将本初稿发给我们访谈的各方,以及 CCM Ad Hoc 工作组的成员,以及 CCM 主席和副主席,以及全球基金。收到本初稿的人士请在紧密的合作伙伴中传阅,但是我们强烈要求他们不要通过电子邮件组、网站等途径在更大范围内发布。其原因是我们被要求尽快撰写本初稿,因此本初稿中很可能含有一些事实上、翻译上或者建议上的错误,我们希望在收到进一步的想法以及反馈意见后可以对本初稿稍作修改。 Note: This is our Draft Report. We are sending it to the parties we interviewed, plus members of the CCM Ad Hoc Working Group, plus the CCM Chair and Vice-Chair, plus the Global Fund. People we send it to may share it with their close colleagues, but we strongly request them not to disseminate it further via email lists, websites, etc. The reason for this is that we were asked to produce this Draft Report very rapidly, as a result of which it might contain minor factual errors, errors of translation, or recommendations that we decide to modify slightly as a result of further thought and feedback.

我们欢迎所有收到本初稿的人在北京时间 7 月 25 日 21: 00 时前通过电子邮件告诉我们你们的修改和评论意见。我们会努力在北京时间 7 月 27 日 9: 00 时前完成最终报告,并将最终报告发给所有收到本初稿的人士。与初稿不同,最终报告将可以被公开,以任何途径与任何人传阅。Recipients of this Draft Report are invited to email any corrections or comments to us by 9 pm July 25, Beijing time. We will make every effort to email the Final Report by 9 am July 27, Beijing time, to the same people as received the Draft Report. Unlike this Draft Report, the Final Report will be public, and can be shared with anyone by any method.

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简介 Introduction

我们应代表中国 CCM ad hoc 工作组的联合国艾滋病规划署的邀请对于最近 CCM 两个类别的代表选举进行一次评估。有问题的两个类别组是"以社区为基础的组织或其它非政府组织"类别(以下简称为"草根组织类别")以及"艾滋病、结核病、疟疾患者或感染者"类别(以下简称为"感染者类别")。本次评估的工作职责由联合国艾滋病规划署提供,见附件 1。调查员的简介见附件 2 和 3。We were asked by UNAIDS, on behalf of an ad hoc working group of the China CCM, to conduct a review of the CCM membership elections that took place recently within two CCM sector groups. The sector groups in question are the "community based organizations or other NGOs" sector (referred to hereafter as the "CBO/NGO sector") and the "people living with HIV/AIDS, TB and/or malaria" sector (referred to hereafter as the "PLWHA sector"). The Terms of Reference for this assignment that were provided to one of us by UNAIDS are provided in Appendix 1. Our backgrounds are provided in Appendices 2 and 3.

我们两个都怀着开放的心态参与此次评估,并且愿意给出的结论是(如果有证据支持)选举没有错误,或是有很大的缺陷,应该宣布这两个选举无效,或者是两种结论之间的选择。We both entered this assignment with open minds, willing (if the evidence supported it) to conclude that the elections were without fault, or that the elections were massively flawed and should be declared invalid, or anything in between.

我们被允许可以接触所有我们相见的人,或者获得所有我们希望得到的材料,我们感谢调查过程中各方的配合。在我们需要的时候,他们都乐于向我们说出他们的看法,并且我们没有受到任何不当的压力。 We were provided access to all people and documentation that we requested, and we thank all parties for their cooperation. When appropriate, people provided their opinions, but nobody applied inappropriate pressure on us.

我们按照下面的时间表已经或将要做如下的事情: We have worked and will work according to the following timetable:

- 7月11—15日: 查阅材料和走访各方。July 11-15: Review documentation, and interview various interested parties.
- 7月16—17日: 撰写评估报告初稿。July 16-17: Prepare Draft Report.
- 7月 18日:将初稿发给我们走访的各方,以及 CCM 主席、副主席,以及 CCM ad hoc 工作组的成员,以及全球基金。July 18: Send Draft Report to the parties we have interviewed, plus CCM Chair and Vice-Chair, plus members of the CCM Ad Hoc Working Group, plus the Global Fund.
- 7月 18 日早上到北京时间 7月 25 日 21: 00 时:由收到初稿的各方通过电子邮件发给我们他们对于初稿的任何意见。July 18, morning, to July 25, 9 pm (Beijing time): Parties we have sent the Draft Report email us their comments, if any, on the Draft Report.

- 7月26日: 撰写最终报告。July 26: Prepare Final Report.
- 北京时间 7 月 27 日 9: 00 时 (如果可能的话): 将最终报告发给收到初稿的所有各方,并且对外公布最终报告。By July 27, 9 am Beijing time (if possible): Send Final Report to all parties who were sent the Draft Report, and make the report public.
- 7月28日下午: CCM 讨论最终报告。July 28, afternoon: CCM discusses the Final Report.

我们采取评估方法将在附件 5 中说明。The methodology we followed is described in Appendix 5.

执行总结 Executive Summary

我们的结论是: <u>草根组织类别</u>的选举过程是充分"由该类别组拟订的、透明的、有记录的",该类别选举的结果是有效的。但是,我们建议当选的 CCM 成员在下一次选举前的任期应该仅为 6 个月。It is our conclusion that the <u>CBO/NGO</u> election process was sufficiently "transparent, documented, and developed within the sector" for the election result to be regarded as valid. However, we recommend that the elected CCM member should only serve for six months before the next election takes place.

在A到E的评价等级(注:F级为不合格),我们感到草根组织类别的选举仅能打"D"级的分。仅能给这个低分的主要原因(但是当然不是唯一的原因)是参与该选举的组织的数量很少。On a scale of A to E (with "F" being a failing grade), we feel that the CBO/NGO election process only scored a "D". The main factor contributing to this low passing grade – but certainly not the only one – is that the number of organizations participating in the election was low.

我们的结论是<u>感染者类别</u>的选举过程是一刚刚一足够证明"由该类别组拟订的、是透明的、有记录的",该类别的选举结果是有效的。我们建议当选的 CCM 成员在下一次选举前的任期应该仅为 6 个月。It is our conclusion that the <u>PLWHA</u> election process was – just – sufficiently "transparent, documented, and developed within the sector" for the election result to be regarded as valid. We recommend that the elected CCM member should only serve for six months before the next election takes place.

在 A 到 E 的评价等级(注: F 级为不合格),我们感到感染者类别的选举仅能打"E"级的分。仅能给这个<u>非常</u>低的分的主要原因(但是当然不是唯一的原因)是参与 4 月 27 日的选举程序咨询会的感染者数目<u>非常</u>少(主要由于有关这次咨询会的多个通知是混乱的),以及那些感染者并没有完全决定选举程序。On a scale of A to E (with "F" being a failing grade), we feel that the PLWHA election process only scored an "E". The main factor contributing to this <u>very</u> low passing grade – but certainly not the only one – is that the number of PLWHA involved in the April 27 discussion about election procedures was <u>very</u> low (primarily as a result of the multiple conflicting announcements about that meeting), and that those PLWHA did not fully determine the election procedures.

当然,两个选举过程都存在着缺陷。但是我们没有给任何一个选举不合格的主要原因是: Both election processes were certainly flawed. The main reasons that we did not give either of them a failing grade are:

- (a) 这是中国第一次举办 CCM 选举。This is the first time that CCM elections have been conducted in China.
- (b) 我们没有看到令人信服的证据表明作为选举召集人,CCM 秘书处刻意地让哪个或者哪一类特别的候选人当选。We see no convincing evidence that the CCM Secretariat, in its capacity as election convener, was trying to cause a particular candidate, or type of candidate, to win.

选举的背景 Background to the CCM elections

中国 CCM 成立于 2002 年,并成为世界上较早的正式制定章程的 CCM 之一(其他各国的 CCM 也称为 "宪章" "工作制度"或者 "管理手册"等)。The China CCM was established in 2002, and became one of the world's first CCMs to develop formally agreed Terms of Reference (referred to by other CCMs as "constitution", "bylaws", or "governance manual").

A: <u>制定新的 CCM 章程</u> Development of new CCM TOR

2004 年 11 月,CCM 同意进行改革(及在新的章程中反映这些改革),以加强 CCM 的工作效率,并且确保 CCM 符合全球基金的要求。Bernard Rivers 先生应邀对于改革提出了一些的建议。接下来的几个月内,CCM 进行了一系列改革,CCM 也有选择地(但不是全部)采纳了 Bernard Rivers 先生提出的建议。In November 2004, the CCM agreed to commence some reforms (and to create new TORs to reflect these reforms) in order to improve its efficiency and to ensure that the CCM remained compliant with evolving Global Fund requirements. Bernard Rivers was asked to provide a number of suggestions regarding these reforms. Further work was done by the CCM over several months, and the CCM adopted a number – but not all – of the suggestions that Bernard Rivers had made.

2006 年 2 月 20 日,CCM 第 15 次全体会议上审阅了新章程的草案,并且对可能的修改意见进行了讨论,原则上通过了这份章程,决定组建特别工作组根据 CCM 成员提出的进一步意见对章程进行"润色修改",拿出最后版本。On 20 February 2006, the 15th plenary meeting of the CCM reviewed the draft new TOR document. Various possible modifications were discussed. The TOR were approved in principle, and a Special Working Group (SWG) was given the task of performing the final "polishing", based on further input to be provided by CCM members.

2006年3月27日,特别工作组完成对于新 CCM 章程的修改,一致通过最终版本,该章程可以在 http://211.167.248.4/globalfund/ccm/ccmtor_en.pdf 处获得。On 27 March 2006, the SWG polished and unanimously agreed on the final wording of the new

CCM TOR, which is accessible at http://211.167.248.4/globalfund/ccm/ccmtor_en.pdf.

B: 新章程的要点 Key points in new CCM TOR

新章程将成员数从 56 名减少至 22 名。"新 CCM"(即根据新章程的标准建立的 CCM)使用的新章程有如下要点: The new TOR arranges for the CCM to be reduced from about 56 members to 22 members. The TOR includes the following key points that will apply to the "new CCM" (that is, to the CCM that will exist as a result of the new TOR):

(a) 第 2.1.3 款: 新 CCM 将包括"1 名以社区为基础的组织或其它非政府组织代表"。 Clause 2.1.3: The new CCM will include "one representative from community based organizations or other NGOs".

评论: 这指的是草根组织。这一点很重要,因为"老 CCM"没有草根组织的代表席位。如果可以把这个类别的名称从"以社区为基础的组织或其它非政府组织"变为"草根组织"会更好,但是看起来确实不情愿做这样的修改。 Comment: This is a reference to grass-roots NGOs. This is significant, because grass-roots NGOs were not represented in the "old CCM". It would be preferable if this sector could be renamed from "community based organizations or other NGOs" to "grass-roots NGOs", but there seems to be a certain reluctance for this to be done.

- (b) 第 2.9 款: 各类别 CCM 成员代表 "其类别组(即某个特定类别中的组织或个人)观点,而非其本身所属组织"。Clause 2.9: Each CCM member represents "sector group members" (that is, organizations/individuals within a particular sector), rather than just his/her own organization.
- (c) 第 2.5 款: 任何组织均可成为类别组成员,只要符合四条标准,其中一条是 "在中国合法注册的"。Clause 2.5: Any organization can be a sector group member if it meets four criteria, one of which is that it is "legally registered to operate within China".

评论: 新章程既允许民政部门注册(这类注册比较困难),也允许在工商部门以公司形式注册(这类注册较容易些,但是也不是很容易)的组织成为该类别组成员。但是章程的文字还表明,中国许多没有注册的草根组织不能成为该类别组成员。这一限制在 2006 年 4 月 10 日 CCM 秘书处发布的选举通知上被重申。 Comment: The TOR permits sector group membership both by organizations that are registered with the Civil Ministry (a form of registration which is hard to achieve) and by organizations that are registered as companies with the Commerce Bureau (a form of registration which is less hard to achieve, but still not easy). But the wording of the TOR indicates that China's many un-registered grass-roots organizations cannot be sector group members. This restriction was repeated in the election notice that was sent to CBO/NGOs by the CCM Secretariat on 10 April 2006.

但是 2006 年 2 月 26 日召开的第 15 次 CCM 全体会议的会议纪要中记录到,CCM 主席和副主席指出尽管要成为 CCM 成员必须是注册的组织,但是没有注册的组织"可以参加某些 CCM 会议、类别组或工作组会议等。"这一点超越了CCM 新章程,很明确地表示没有注册的组织<u>可以</u>以类别组成员形式参与选举他们类别组的 CCM 成员。不幸的是 CCM 新章程上的意思却与这一点相反。Yet the minutes of the 15th CCM plenary meeting, on 26 February 2006, record that the Chair and Vice-Chair clarified that although organizations must be registered if they are to be CCM members, un-registered organizations "may attend certain CCM meetings, sector group meetings, or working group meetings". This goes beyond the CCM TOR, and makes it quite clear that un-registered organizations <u>can</u> participate, as sector group members, in electing their CCM members. It is unfortunate that the CCM TOR indicates the opposite of this.

建议: 应该修改 CCM 章程,将主席和副主席提出的意见反映在章程中——就是,来自没有注册的组织的个人可以成为其类别组成员,可以参与其类别组的 CCM 成员的选举,并在第 2.11 款中指出可以成为 "列席代表",但不可以成为 CCM 成员。这需要如下的修改: **Recommendation:** The CCM TOR should be amended to reflect the policy spelled out by the Chair and the Vice-Chair – namely, that persons from un-registered organizations may be sector group members, and may take part in elections of their CCM members, and may serve as the "extra persons" mentioned in Clause 2.11, but may not serve as CCM members. This requires the following changes:

- (i) 将第 2.5 款第(1)条从 "在中国合法注册的机构、组织,或是中国公民"修改为"在中国开展工作的机构、组织,或是中国公民"。 Change Clause 2.5, item (1), from "Are legally registered to operate within China and/or are Chinese citizens" to "Operate within China and/or are Chinese citizens".
- (ii) 将第 2.6 款的前段从"各类别组自己推选其本类别 CCM 成员"修改为"各类别组自己推选其本类别 CCM 成员。CCM 成员必须在中国合法注册,并在中国开展工作"Change the first part of Clause 2.6 from "Each Sector Group must choose its own CCM member." to "Each Sector Group must choose its own CCM member. CCM members must be legally registered to operate within China."
- (d) 第 2.6 款第二句 "CCM 成员应通过公开透明、有记录的,本类别组制定的程序,由其类别组从其类别组中选择/选举产生。" Clause 2.6, second sentence: "CCM members should be selected/elected by their own sector(s) based on a documented, transparent process, developed within the sector."

评论: 这个修改很好,也与全球基金 CCM 指南基本一致。全球基金 CCM 指南指出 "代表非政府类别的 CCM 成员必须通过公开透明、有记录的,本类别组制定的程序,由其类别组从其类别组中选择/选举产生"。**Comment:** This is good, and is essentially identical to the Global Fund's CCM Guidelines, which state: "CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector."

(e) 第 2.7 款: "必要时,CCM 秘书处可协助某些类别组完成其代表推选过程"。 Clause 2.7: "If necessary, the CCM Secretariat will facilitate the process of selecting representative member for some sector groups".

评论: "协助"的意思很明确,就是帮助,或者支持。如果这样,使用这个词语是可以的,只要没有人错误地把"协助"解释为"控制"。**Comment:** "Facilitate" has a precise meaning – to help, or support. As such, the wording is fine, so long as nobody mis-interprets the word "facilitate" to mean "control".

(f) 第 3.12 款: "在决议做出时,至少有半数 CCM 成员在场,CCM 会议产生的决议方才有效。" Clause 3.12: "All decisions made at a CCM meeting are valid

unless at least half of the CCM members are present at the time of the decision."

评论: 这里好像错了。 英文 "valid unless" 应该修改为 "only valid if"。 **Comment:** This appears to be a mistake. The words "valid unless" should presumably be "only valid if".

建议: 将这一款修改为 "Each decision made at a CCM meeting is only valid if at least half of the voting CCM members were present at the time of the decision." **Recommendation:** Change the wording of this clause to "Each decision made at a CCM meeting is only valid if at least half of the voting CCM members were present at the time of the decision."

(g) 第 3.1(4)款: "CCM 主席和副主席应来自不同类别组或部委。" Clause 3.1(4): "The CCM Chair and the CCM Vice-Chair should be from different sector groups or ministries."

评论: 这一款中词语"部委"暗含着 CCM 主席和副主席可以都来自于政府部委。但是全球基金 CCM 指南指出"建议 CCM 从不同类别组选举主席和副主席。"不同部委不同于不同类别组。 Comment: The inclusion of the words "or ministries" in this clause suggests that the CCM Chair and Vice-Chair could both be from government ministries. But the GF's CCM Guidelines say "It is recommended that CCMs elect a Chair and Vice Chair from different sectors." Different ministries don't count as different sectors.

建议: 将第 3.1(4)款修改为 "CCM 主席和副主席应来自不同类别组。" **Recommendation:** Change Clause 3.1(4) to read "The CCM Chair and the CCM Vice-Chair should be from different sectors."

注: 我们在(f)和(g)处的评论和建议严格意义上超出本次评估的工作大纲, 所以 CCM 可以选择忽略。 *Note:* Our comments and recommendations under (f) and (g) are, strictly speaking, outside the terms of reference of this report, so the CCM may prefer to ignore them.

C: 改革过渡时期工作方案 Reform Transition Plan

改革过渡时期工作方案在 2006 年 2 月 20 日第 15 次 CCM 全体会议上被原则通过,并在 3 月 27 日的特别工作组会议上完成最终修改。这份方案中的一个重点就是将由主席、副主席提名各类别组选举的"召集"组织。召集人可以是该类别组的成员,也可以来自其它类别组。A Reform Transition Plan was approved in principle by the 20 February 2006 CCM 15th plenary meeting, and polished and finalized by the 27 March SWG meeting. A key part of this plan was that the Chair and Vice-Chair would nominate a

"convener" organization for the election to be conducted within each sector group. The convener might be a member of the sector group, or it might be from some other sector.

改革过渡时间工作方案中 CCM 秘书处被选为草根组织类别组和感染者类别组的召集人。The Reform Transition Plan shows that the convener chosen for both the CBO/NGO sector and the PLWHA sector was the CCM Secretariat.

评论: 指定草根组织类别组和感染者类别组选举的召集人应该是 CCM 秘书处是一个不明智的举动,虽然我们不相信这样做是为了操纵选举结果,我们确实认为问题的一部分出在没有其他人自愿地来做召集人。当然,除了招致麻烦,秘书处从此项活动中也不太可能获得任何好处。 Comment: Specifying that the convenor for the CBO/NGO and PLWHA elections should be the CCM Secretariat was an unwise move, though we do not believe that it was done with intent to manipulate the results, and we do appreciate that part of the problem was that nobody else volunteered. Certainly the Secretariat was likely to gain little beyond headaches from this activity.

但是,很清楚,从一开始,让草根组织成为 CCM 成员,并且该成员由草根组织自己来选举产生,就是一件高度敏感和革新的举动,就会受到许多人,包括一些政府部门人士的欢迎,但也可能不会受到<u>所有</u>政府部门的人士的欢迎。因此,如果选择一个在本质上独立于政府的组织作为召集人,比如联合国艾滋病规划署,会更加明智一些。However, it was clear from the beginning that to have a grass-roots NGO be a member of the CCM, and to have that member be chosen by the grass-roots NGOs themselves, was a highly sensitive and innovative action that would be welcomed by many, including by some in government, but might not be welcomed by <u>all</u> within government. For that reason, it would have been wiser to choose as convener an organization that is essentially independent of government, such as UNAIDS.

过渡时间工作方案的中文是这样写的: The Chinese version of the Reform Transition Plan says:

第一步:选举成员(四周时间)

在 CCM 全体会议上,由主席、副主席提名并通过过渡时期各组别召集单位(或召集人),负责各自组别的选举,选举出成员和另外两名参加 CCM 会议成员,以及制定相应的规则,并提出参加 3 个疾病专项工作组的意向;

过渡时间工作方案的英文对于这一款的翻译是这样写的(有下划线的部分是我们添加的): The English version of the Reform Transition Plan translates the above clause as follows (with underlining added by us):

Selection of CCM Members

At the coming CCM Plenary, CCM Chair and Vice Chair will nominate conveners of each sector group. These conveners are to make relevant procedures or rules (由这些召集人制定各自组别的程序和规则), organize constituencies of their

sector group to select new CCM member and other 2 members to attend CCM Meetings. The intentions of joining the three Disease Working Groups will be collected at this meeting.

我们自己对于这款的翻译是这样的(重申:有下划线的部分是我们添加的): Our own translation of the above clause (again, with underlining added by us) says:

Selection of CCM Members

At the CCM plenary meeting, <u>convening agencies</u> (or <u>conveners</u>) of each sector during the transition period nominated and endorsed by the Chair and Vice Chair <u>shall</u> be responsible for their respective sectors' election to elect a member to the CCM and two members to attend CCM meeting and to <u>develop relevant rules</u>, and to propose the intention of joining the working groups of the three diseases. 在 CCM 全体会议上,由主席、副主席提名并通过的过渡时期各组别<u>召集单位(或召集人)将</u>负责各自组别的选举,包括选举一名 CCM 正式成员和两名参加 CCM 会议的列席代表,<u>制定相关规则</u>,提出参与三种疾病工作组的意向。

评论: 如果 CCM 的意图确实是由召集人 "制定各类别组……的选举程序和规则",而不仅仅是"协助"选举(如 CCM 新章程的第 2.7 款中所述),而这些程序或者规则超越了比如提供和通知会议时间、地点这样的事情,这就非常不妥当了。正如上面 C(2)(d)中所述,全球基金的要求和 CCM 章程中均明确地提到各类别组的选举过程必须由各类别组自己制定,而一定不能由一个外部的召集人指定。 Comment: If the intent of the CCM was indeed for the conveners to "make … procedures or rules" for the sector group elections, rather than merely to "facilitate" the elections (as specified in Clause 2.7 of the CCM TOR), and if these procedures or rules went beyond things like offering and announcing a time and place for meetings, etc., this would have been highly inappropriate. As stated in C(2)(d) above, the GF requirements and the CCM TOR both make it quite clear that the process for each election must be developed within the sector, and must not be specified by an outside convener.

因此,我们评估的一个核心就是 CCM 秘书处是否仅仅是"协助"两个类别组的选举(这样的话就是正确的),还是说就如何进行选举"制定程序和规则"(这样的话就是错误的)。A central aspect of our Review, therefore, has been whether the CCM Secretariat merely "facilitated" the two elections (which would have been fine), or "made procedures and rules" regarding how the elections should be conducted (which would have been wrong).

建议: 如果可以证明以后仍有必要让 CCM 来指定选举的召集人的话,CCM 应该明确召集人仅仅是一个协助人,不应该指定规则和程序。**Recommendation:** If it should prove necessary in the future for the CCM to appoint conveners for elections, the CCM should make it quite clear that the conveners must only be facilitators, and must not specify rules and procedures.

D: <u>CCM 各类组别的百分比</u> <u>CCM percentage breakdown between various sectors</u>

全球基金 CCM 指南(www.theglobalfund.org/pdf/5 pp guidelines ccm 4 en.pdf)建议 "CCM 成员至少要包含 40%的非政府部门,比如 NGO/社区组织、疾病患者、宗教/信仰 机构、私人部门和学术机构。" The Global Fund's CCM Guidelines (www.theglobalfund.org/pdf/5 pp guidelines ccm 4 en.pdf) say "The Global Fund recommends that … the membership of the CCM comprise a minimum of 40% representation of the non-government sectors such as NGOs/community based organizations, people living with the diseases, religious/faith-based organizations, private sector, academic institutions."

为了文字上的简洁,我们将使用"公民社会"一词简称 "NGO/社区组织、疾病患者、宗教/信仰机构、私人部门和学术机构",尽管"公民社会"有时更加狭义一些。For the sake of simplicity of wording, we will use the term "civil society" as shorthand for "NGOs/community based organizations, people living with the diseases, religious/faith-based organizations, private sector, academic institutions", even though "civil society" sometimes has a narrower meaning.

中国新 CCM 章程指出将会有 22 名 CCM 成员。其中 17 名有投票权,5 名没有投票权。没有投票权的 5 个是 CCM 主席、副主席以及三个疾病工作组的组长。China's new CCM TOR specify that there shall be 22 members. Of these, 17 shall be voting and 5 shall be non-voting. The non-voting five are CCM Chair and Vice-Chair and the chairs of the three disease-specific working groups.

章程认为中国疾病控制中心不属于 政府。The TOR regards China CDC as *not* being part of government.

评论: 中国疾病控制中心是由政府财政支持,而且疾控中心主任由政府任命。因此,对我们而言,疾控中心更像是"政府"而 "非政府"。有人可能说政府组织的非政府组织也类似这种情况,但是我们将不谈论这一点。**Comment:** China CDC is financed by government, and the head of CDC is appointed by government. Thus, to us, CDC appears closer to being "government" than "not government". One might say something similar about GONGOs, but we will not push the point.

如果有人认为疾控中心属于政府的一部分(但是认为政府组织的非政府组织属于"非政府"),又如果像现在一样,五个没有投票权的 CCM 代表还是分别来自于政府或者双边或多边机构,新 CCM 各类别组的比例将是这样的: If one regards CDC as being part of government (but regards GONGOs as being part of "not government"), and if the five non-voting CCM members all continue, as at present, to be from government or multi/bilateral agencies, the breakdown between the sectors in the new CCM is as follows:

Ī	政府+多边+双边:	有投票权	Gov't + multilateral + bilateral: Voting	
	卫生部 Ministi	ry of Health		1

其它政府部委 Other government ministries	4
中国疾病控制中心 China CDC	1
多边组织 Multilateral organizations	2
双边组织 Bilateral organizations	2
总数 Total:	10

	-
政府+多边+双边:没有投票权 Gov't + multilateral + bilateral: Non-voting	
CCM 主席 CCM Chair	1
CCM 副主席 CCM Vice-Chair	1
CCM 艾滋病工作组组长 Chair, CCM HIV/AIDS Working Group	1
结核病工作组组长 Chair, CCM TB Working Group	1
疟疾工作组组长 Chair, CCM Malaria Working Group	1
总数 Total:	5

"公民社会": 有投票权 "Civil society": Voting	
中国专业/教育机构 Academic/Educational Sector	1
中国人民团体(=政府组织的非政府组织)Mass Organizations (= GONGOs)	1
中国社会团体 Chinese Associations	1
国际非政府组织 International NGOs	1
中国以社区为基础的组织或其它非政府组织代表 CBO/NGO	1
感染者 PLWHA	1
私有/公有企业 Private Sector	1
总数 Total:	7
*译者注:对应中文摘自 CCM 新章程	

可以得到了下面的总数和百分比: This leads to the following totals and percentage breakdowns:

<i>有投票权的</i> CCM 成员: <i>Voting</i> CCM members:		
政府+多边+双边 Gov't + multilateral + bilateral	10	59%
"公民社会" "Civil society"	7	41%
总数: Total:	17	100%

有投票权的+没有投票权的 CCM 成员: Voting + non-voting CCM members:		
政府+多边+双边 Gov't + multilateral + bilateral	15	68%
"公民社会" "Civil society"	7	32%
总数: Total:	22	100%

评论: 如上所述,全球基金"建议"——不是"要求"——至少有 40%的 CCM 成员来自我们列入"公民社会"的类别。全球基金并没有对有无投票权成员加以区分。在 CCM 有投票权的成员中仅有 41%,算上无投票权的成员则只有 31%来自"公民社会"(假设中国疾病控制中心被看作是政府,假设五个没有投票权的成员如同现在一样来自于"公民社会"以外的话)。 Comment: As stated above, the GF "recommends", but does not "require", that at least 40% of the CCM's members come in the category we have listed above as "civil society". The GF does not distinguish between voting and non-voting members. Only 41% of the CCM's voting members, and only 32% of the CCM's voting plus non-voting members, come in this "civil society" category (if China CDC is regarded as government and if the five non-voting members continue to come, as at present, from outside the "civil society" grouping).

建议: CCM 应该严肃评估是否稍微削减来自 政府+多边+双边 的成员的数量,并且/或者稍微增加来自"公民社会"的成员的数量。一个非常恰当的做法也许是增加1—2 名来自草根组织类别组的成员。**Recommendation:** The CCM should seriously review whether to slightly decrease the number of government + multilateral + bilateral members, and/or to slightly increase the number of "civil society" members. A very appropriate step would be to increase the number of CBO/NGO members from one to two.

选举后发生的事件 Events following the elections

抗议和 CCM 的反应 Protests and CCM response

在 2006 年 6 月 5 日召开的 CCM 全体会议上,CCM 接受了各类别组的选举结果,但是也提到了对于草根组织类别组和感染者类别组选举结果存在争议。At its plenary meeting held on June 5th 2006, the CCM accepted the result of the elections of the various sector group representatives, but noted that the results of the CBO/NGO and PLWHA sectors had been disputed.

为了解决有争议的选举,依据 CCM 章程中写到的程序,CCM 全体会议将建立一个由联合国艾滋病规划署主持的 ad hoc 工作组,对有争议的 CCM 类别组的选举过程进行评估。我们(Bernard Rivers 和邱仁宗)应邀协助开展本次评估。In order to address the disputed elections in accordance with the procedures outlined in the CCM TOR, the CCM plenary established an ad hoc working group to be chaired by UNAIDS to review the process followed in the disputed elections. We (Bernard Rivers and Qiu Renzong) were asked to assist in carrying out the review.

全球基金的反应 Global Fund response

7月11日的《金融时报》对争议进行了报道。《金融时报》引用了下列全球基金的言论;全球基金已经确认了这些言论是准确的。The dispute was mentioned in a July 11 article in the *Financial Times*. The FT had the following quotes from the GF; the GF has confirmed to us the accuracy of the quotes:

全球基金执行主任 Richard Feachem 先生说"我们相信,目前正在有一个完善的过程在评估那个选举"…… "We believe that a sound process is now in place to review that election," said Richard Feachem, Global Fund executive director...

"全球基金将坚决执行评估后提出的建议" Feachem 说,"我对于本事令人满意的解决保持 乐观。" "The Global Fund will be insisting that the recommendations coming out of that review are fully implemented," Dr Feachem said. "I'm optimistic that this will lead to a satisfactory resolution."

全球基金的工作人员表示,如果建议未能得到贯彻执行,可能会导致援助资金的延迟或终止。 Staff at the Global Fund ... said failure to implement the recommendations could lead to suspension or termination of the grants.

7 月 11 日同一天,全球基金和中国疾病控制中心(作为中央执行机构)签署了两个第 五轮的赠款协议。全球基金工作人员授权我们引用随同赠款协议的下面的附加条件: On the same day, July 11, the Global Fund and China CDC (serving as Principal Recipient) signed two Round 5 grant agreements. GF staff have authorized us to quote the following conditions that are contained in the grant agreements:

"在第一阶段开始日期后6个月内,CCM需要以表格或者其他材料的形式向全球基金提供令全球基金满意的证据,证明:"Not later than six months after the Phase 1 Starting Date, the CCM shall deliver evidence to the GF, in form and substance satisfactory to the GF, that:

- "(a) ad hoc 工作组(根据CCM章程第2.8款,由联合国艾滋病规划署牵头)开展的对于NGO/CBO类别组和艾滋病、结核和/或疟疾患者和/或感染者类别组的选举的评估已经结束; 并且 (a) the ad hoc working group (formed pursuant to section 2.8 of the Terms of Reference of the CCM and headed by UNAIDS), which is tasked with reviewing the election of the CCM representatives from the NGO/CBO sector and sector of people living with HIV/AIDS, TB, or malaria, has completed its review; and
- "(b) CCM 不符合全球基金要求的缺陷已经被纠正。" "(b) any deficiency in the CCM's compliance with the GF's requirements has been remedied."

评论: 根据全球基金的文件,第一阶段的开始日期很可能是 2006 年 7 月 1 日。因此条件(b) 意味着如果全球基金认为 CCM 没有符合全球基金的要求,CCM 必须在 2007 年 1 月 1 日前对那些不符合全球基金要求的缺陷予以纠正。 **Comment:** According to the GF, the Phase 1 Starting Date will probably be 1 July 2006. Condition (b) therefore means that if the GF concludes that there are ways in which the CCM is not compliant with GF requirements, those deficiencies must be fixed by 1 January 2007.

草根组织类别组选举 The CBO/NGO election

A: <u>草根组织类别组选举是如何进行的</u> How the CBO/NGO election was <u>conducted</u>

- 1. 在 2006 年 3 月 27 召开的特别工作会议上,根据同日通过的"CCM 改革过渡时期工作方案"CCM 秘书被指定为草根组织类别组选举的召集人。At the 27 March 2006 SWG meeting, the CCM Secretariat was appointed to serve as convener of the CBO/NGO election, in line with the "CCM Reform Transition Plan" approved on the same date.
- 2. CCM 改革过渡时期工作方案强调: "召集人负责制定与选举相关的程序和规则"。如上所述,这是与全球基金 CCM 指南以及中国 CCM 章程相违背的。The CCM Reform Transition Plan specified that the "conveners are to make relevant procedures or rules" regarding the election. As discussed above, this instruction conflicted with the GF's CCM Guidelines and with the CCM TOR.
- 3. 从 3 月 27 日到 4 月 10 日,CCM 秘书处没有就选举问题向任何草根组织类别组成员进行咨询。Between March 27 and April 10, the CCM Secretariat did not consult to any significant extent with CBO/NGO sector group members about the election.
- 4. 4月10日,CCM 秘书处就草根组织类别组选举发布了一份通知。通知以传真、电话、电子邮件的形式发给了32个草根组织。通知也在CCM 的网站上进行了发布。On April 10, the CCM Secretariat sent out a notice about the CBO/NGO election. The notice was sent to 32 CBO/NGO groups by fax, telephone, and email; it was also posted at the CCM website.
- 5. 通知随后通过多个电子邮件组转发给了更多草根组织,有数百名这些邮件组的注册用户收到该通知。The notice was then relayed to multiple additional CBO/NGOs through various email lists that have hundreds of subscribers.
- 6. 通知的附件中包含一份报名表,有意参加选举的草根组织可以填写报名表,并于在 4 月 20 日之前递交给 CCM 秘书处。The notice had an application form attached, which CBO/NGO organizations could fill in stating that they wished to take part in the election. The form had to be returned to the CCM Secretariat by April 20.
- 7. 通知中写到:有资格参加选举的草根组织必须是在政府部门合法注册的组织。如上 所述,这一点与 CCM 主席和副主席提到的 CCM 实际上的政策是相冲突的。The

- notice stated that to take part in the election, CBO/NGO groups had to be legally registered with the government. As discussed above, this instruction conflicted with the CCM's actual policy as specified by the CCM Chair and Vice-Chair.
- 8. 通知指出:草根组织类别组选举会议初定于 4 月 27 日召开,将由草根组织与会人员决定选举规则,然后进行选举。但通知中并没有说明会议将在北京举行,而是说"会议具体时间、地点将另行通知。" The notice specified that there would be a CBO/NGO meeting on April 27 at which election rules would be decided by CBO/NGO participants, and at which the election would then take place. The notice did not specify that this meeting would be in Beijing. It said that information would be sent later regarding the time and location of the election meeting.
- 9. 通知中没有提到为参加会议者来开会提供交通方面的资助。The notice did not offer any financial support to enable participants to travel to the election meeting.
- 10. 在 CCM 秘书处 4 月 24 日发布的第二个通知中,CCM 秘书处与已经报名参加选举的组织联系,公布了这些组织的名单以及选举会议的时间及地点,选举定于 4 月 27日,也就是通知发布仅仅三天之后进行。这份通知提到,截止 4 月 22 日,有 16 个组织报名参加选举,尽管报名截止日期应该是 4 月 20 日。(CCM 秘书处现在解释说,日期的不同是因为有两个组织在 4 月 20 日之前发出了报名表,但秘书处在 4 月 20 日之后才收到。)在 4 月 27 日的会议中,参会组织的数量从 16 个增加到了18 个,但原因不明。In its second notice, on April 24, the CCM Secretariat contacted the organizations that had registered to take part in the elections, providing the names of the organizations that had registered, and also providing details of the time and place of the meeting that was to take place on April 27, only three days later. This second notice stated that 16 organizations had registered by April 22, even though the deadline had been April 20. (The Secretariat now says that this date difference was because registrations from two organizations had been sent on or before April 20 but received just after April 20.) By the time of the April 27 meeting, the number had increased from 16 to 18, for unknown reasons.
- 11. CCM 秘书接受了所有向他们递交了报名申请的草根组织的报名,而没有对他们进行资格审查。值得强调的是,CCM 故意没有将未在政府注册的组织筛选出去,同时也没有把与政府、学术机构等部门至少有间接联系的组织筛选出去。(秘书处的解释是:没有筛选出去是因为很难制定一个清晰的标准。比如,如果一个公立医院的工作人员建立了一个草根组织,他们用业余时间提供志愿服务,医院随后又给该组织提供了一定的资金支持,那么这个草根组织到底是否应该被定义为一个政府实体呢?)When CBO/NGO organizations sent in to the Secretariat their requests to register for the election, the Secretariat accepted all of them, without checking their credentials. In particular, it deliberately did not screen out organizations that were not registered with the government. Also, it did not screen out organizations that had at least an indirect connection with other sectors such as government, academic sector, etc. (The Secretariat's explanation for not screening out such organizations is that it was hard to develop clear criteria. For instance, if employees of a government hospital set up a CBO/NGO with which they worked on a spare-time volunteer basis, and if the hospital then provides

- some financial support, should that CBO/NGO be defined as a government entity, or not?)
- 12. 万延海负责的爱知行在其广泛邮件组中发布了反对 4 月 27 日选举的声明,并且要求许多组织不要参与此次选举。Aizhixing, the organization run by Wan Yanhai, announced through its extensive email lists that it objected to the April 27 election, and urged many organizations not to take part.
- 13. 18 个报名组织中有 14 个参加了 4 月 27 日的会议。Fourteen of the 18 organizations that had registered for the April 27 meeting attended the meeting.
- 14. 在 4 月 27 日的会议上,CCM 秘书处首先对于 CCM 新章程产生的背景做了介绍。然后草根组织参会者讨论和制定了选举程序。随即草根组织参会者通过三轮匿名投票进行了选举。CCM 秘书处并没有参与制定和执行选举程序;甚至计票的工作也是由参会者,而不是秘书处完成的。At the April 27 meeting, the CCM Secretariat provided some background information about the CCM TORs. Then the CBO/NGO participants discussed and planned an election procedure. Then the CBO/NGO participants carried out the election, via three rounds of secret ballots. The CCM Secretariat did not play a role in planning or conducting the election procedures; even the counting of votes was done by the participants, not by the Secretariat.
- 15. 爱知行在选举前离会,因为他们对选举部分地或全盘地反对。Aizhixing left the meeting before the election, because it objected to some or all aspects of the election.
- 16. 会前,爱知行指责 CCM 章程不符合全球基金的要求,因此 CCM 是不合法的。而会后,爱知行指责选举程序没有遵循 CCM 章程,而他们之前是反对此章程的。选举结果公布后,爱知行又指责至少在某次谈话中,当选 CCM 正式代表的人是政府强加的,并与政府有某种关系。Before the meeting, Aizhixing complained that the CCM TORs were not compliant with GF requirements, and thus, in effect, that the CCM was illegal. Then after the meeting, Aizhixing complained that the election procedures had not been compliant with those CCM TORs that it had previously objected to. Then after the election results were known, Aizhixing complained, at least in certain conversations, that the person elected as CCM representative had been imposed by the government and had some kind of relationship with the government.
- 17. 4 月 27 日的会议有些混乱,但是参加会议的人接受了会议产出的结果。The April 27 meeting was somewhat chaotic, but it produced a result that was accepted by those that participated in the election.
- 18. 随后,爱知行组织了他们自己的草根组织类别组的选举,有 70 个组织参与。这些组织中的很大组织之前获得过爱知行的资金支持,或者参加此次会议的路费由爱知行报销。(尽管事实如此,许多参与该会议的组织清楚地指出,但是无论是在他们与爱知行还是和其他组织的私下谈话中,他们确实不总是支持爱知行和他们的领导。)仅有一个草根组织既参加了 4 月 27 日的选举,也参加了爱知行资助的选举。Later, Aizhixing organized its own election for the CBO/NGO sector, with 70 organizations participating. Many of these organizations had previously received

financial support from Aizhixing, or had their travel costs to the meeting reimbursed by Aizhixing. (Despite this fact, many of the organizations attending the meeting made it clear, both to Aizhixing and in private conversations with others, that they certainly did not always support Aizhixing or its leader.) Only one CBO/NGO that had participated in the April 27 election also participated in the Aizhixing-sponsored election.

19. CCM 秘书处拒绝接受爱知行资助的选举结果的有效性,一部分原因是已经举行了一次选,一部分原因是爱知行没有得到 CCM 的授权让他们作为选举的召集人,一部分原因是选举由爱知行资助意味着参与者不能代表广泛的、各种来源的中国草根组织。The CCM Secretariat refused to accept the validity of the Aizhixing-sponsored election, partly because an election had already taken place, partly because Aizhixing had not been provided a mandate by the CCM to serve as convener of an election, and partly because the funding of the election by Aizhixing meant that the participants were not a balanced cross-section of China's CBO/NGOs.

B: <u>我们对草根组织类别组选举过程的评价</u> Our comments regarding the CBO/NGO election process

对草根组织类别组选举过程的评价: Comments re the CBO/NGO election process:

- 1. 根据过渡时间工作方案,CCM 应该给予 CCM 秘书处(或其他召集人)一些指导,比如如何担任好草根组织类别组选举召集人这一具有挑战性的职务。The CCM should, through its Transition Plan, have given the CCM Secretariat (or some other convener) some level of guidance as to how to perform its challenging convener role for the CBO/NGO election.
- 2. 从 3 月 27 日到 4 月 10 日,CCM 秘书处至少能够且应该以非正式的方式咨询几个草根组织的意见,问问他们在 4 月 10 日通知里该说些什么,以及哪些人该收到该通知等。这一过程尤其重要,因为老 CCM 中并没有代表草根组织类别的成员。Between March 27 and April 10, the CCM Secretariat could and should have informally consulted with at least a few CBO/NGO organizations about what to say in the April 10 notice and whom to send it to. This was particularly important because at that time, the CCM had no members representing CBO/NGO groups.
- 3. 4 月 10 日的通知称,依据 CCM 章程,只有在政府合法注册的草根组织,但是这一点与 2006 年 2 月 26 日 CCM 第 15 次全体会议中主席和副主席的讲话相违背。通知应该说明,没有注册的组织可以作为类别组成员,选举其类别组的 CCM 成员,即便这些组织不能当选为 CCM 成员。这样的说明很可能使参与选举的组织数量大大地增加。 The statement in the April 10 notice that CBO/NGO groups had to be legally registered with the government was compliant with the CCM TOR, but conflicted with what the Chair and Vice-Chair had said at the 15th CCM plenary meeting on 26 February 2006. The notice should have made it quite clear that non-registered organizations could participate, as sector group members, in electing their CCM members, even though they could not be elected as CCM members. Such a statement might have considerably broadened the list of

organizations that participated in the election.

- 4. 4 月 10 日的通知应该清楚写明 4 月 27 日的会议将在北京举行。The April 10 notice should have specified that the April 27 meeting would be in Beijing.
- 5. CCM 秘书处没有必要要求 4 月 27 日的会议既制定选举规则,又进行选举。4 月 27 日的会议应该只是制定选举规则。在与会者制定了选举规则后,可以指定某日进行选举,也可以(如果草根组织愿意)指出选举以电子邮件形式进行,以照顾偏远地区的组织,让更多的组织能够参与。It was not necessary for the CCM Secretariat to require that the April 27 meeting should be used both for setting the election rules and for holding the election. The April 27 meeting should have been used just for setting the election rules. The rules developed by the CBO/NGO groups participating in that meeting could then have specified another date for the election, and could (if the CBO/NGO groups wished) have specified that the election would be conducted remotely via email etc., thereby permitting broader participation.
- 6. 即使 CCM 秘书处没有资金协助支付选举费用,秘书处也可能从公众或者私营/人捐助者,甚至从爱知行募得此笔资金。Even though the CCM Secretariat did not have funding to assist with election costs, it might have been possible for the CCM Secretariat to raise such funds from public or private donors, or even from Aizhixing.
- 7.4月27日的选举一策划会,以及选举可以在其后一个月或者更晚的时间举行,以便有更多地时间策划,让更多的组织参与。主要的一个截止日期是第六轮项目建议书必须在8月3日之前完成,项目建议书中必须包含 CCM 符合全球基金要求的证据。(但是选举不能拖太久,因为新当选的 CCM 成员还必须在第六轮项目建议书完成之前完成一些事项,比如选举主席、副主席等。) The April 27 election-planning meeting, and the actual election, could have taken place a month or so later, thereby permitting more time for planning and participation. The main deadline was that Round 6 proposals have to be completed by August 3, and those proposals must contain proof that the CCM is compliant with GF requirements. (However, the elections could not be delayed by too much, because the newly-elected members of the CCM then had to do certain things like elect a Chair and Vice-Chair before the Round 6 proposals could be completed.)
- 8. 如果 CCM 秘书处对每一个希望参加选举的组织进行资格审查,可能会很难,但是也不是不可能。It would have been hard though not impossible for the Secretariat to do a thorough screening of the qualifications of each organization wishing to take part in the election.
- 9. 很遗憾希望参加 4 月 27 日会议的草根组织直到 4 月 24 日才知道会议将在北京举行(尽管他们可能猜对将在北京举行)。It was unfortunate that CBO/NGO organizations wishing to take part in the April 27 meeting did not know until April 24 that the meeting would be in Beijing (though they probably assumed, rightly, that it would be).

- 10. 如果爱知行不曾宣布对 4 月 27 日会议的反对立场的话,参加该会议的组织会更多, 也会代表更广泛的草根组织。The number of organizations taking part in the April 27 meeting would have been greater, and they would have represented a more balanced cross-section of China's CBO/NGOs, if Aizhixing had not announced its opposition to the meeting.
- 11. 爱知行反对选举的理由前后并不十分一致。Aizhixing's reasons for objecting to the election were not consistent over time.
- 12. 秘书处不接受爱知行资助的五月份选举的理由是正当的。The Secretariat's reasons for not accepting the Aizhixing-financed alternative election in May are valid.
- 13. 但是,爱知行在其五月选举中表现出来的活力和创造性理念表明爱知行可以成为举行下一次很好的选举的合办者和参与者。However, the energy and creative ideas devoted by Aizhixing to its alternative May election show that Aizhixing could be an enormously valuable co-organizer of and participant in the next election.
- 14. 即使 CCM 改革过渡时期工作方案不恰当地规定了"召集人负责制定(选举)相应程序及规则",但是所幸 CCM 秘书处忽略了这点,正确地在 4 月 27 的会议中让草根组织与会者自行决定选举规则和程序。Even though the CCM Reform Transition Plan inappropriately specified that the "conveners are to make relevant procedures or rules" regarding the election, the CCM Secretariat fortunately ignored this, and correctly permitted the CBO/NGO participants in the April 27 meeting to determine what the rules and procedures of the election would be.

草根组织类别组选举程序的透明、有记录及类别组自主拟订的程度 Extent to which the CBO/NGO election process was transparent, documented and developed within the sector

全球基金 CCM 指南上说: The Global Fund's CCM Guidelines state:

"代表非政府部门的 CCM 成员必须由其各自类别组基于各自类别组拟订的透明的和有记录的程序选出。" "CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector."

该调查是应 CCM 的要求进行的,因为有人声称草根组织类别组和感染者类别组 CCM 成员的选举没有遵守以上要求。Our Review was requested by the CCM because allegations have been made that the election of members for the CBO/NGO sector and the PLWHA sector did not follow these requirements.

因此,我们必须先说说"透明""有记录"以及"类别组自主拟订"是什么含义。We must first, therefore, come up with definitions of "transparent", "documented", and "developed within the sector".

<u>透明</u>: 我们对于透明的选举过程的定义是有足够数量的类别组成员(根据 CCM 章程的定义): <u>Transparent</u>: Our definition of an election process that was "transparent" is that adequate numbers of Sector Group Members (as defined in the CCM TOR):

- (a) 在充分告知的情况下获悉将于何时何地决定选举规则,以及何时何地进行选举。 Were informed, with sufficient notice, when and where the election rules would be determined, and when and where the election would take place.
- (b) 作为候选人: 可以自由决定是否参加选举,能够告知投票人其优势所在。As candidates: Were free to stand for election, and were able to inform voters of what they believed their strengths were.
- (c) 作为投票人:被告知每个候选人的自己提到的他们优势,能自由投票给任何他们心仪的候选人。As voters: Were informed of what the candidates thought their strengths were, and were free to vote for whichever candidate they wished.

<u>有记录</u>: 我们对于有记录的选举过程的定义是类别组成员以及其他相关各方: <u>Documented</u>: Our definition of an election process that was "documented" is that Sector Group Members, and other interested parties:

- (a) 在选举前:能够获得有关选举将如何进行的准确书面材料。Before the election: Had access to accurate written information about how the election would be conducted.
- (b) 在选举后: 能够获得有关选举如何进行及其结果的准确书面材料。After the election: Had access to accurate written information about how the election was conducted and what its results were.

类别组自行拟订: 我们对于类别组自行拟订的选举过程的定义是如何进行选举的规则由该类别组成员自行决定,或是由非类别组成员建议,但是由该类别组成员接受并同意。 Developed within the sector: Our definition of an election process that was "developed within the sector" is that the rules for how the election would be conducted were developed by Sector Group Members, or were proposed by people who were not Sector Group Members but were agreed to by Sector Group Members.

结论: 我们的结论是草根组织类别组选举过程足够符合"透明、有记录及类别组自主拟订"的要求,因而选举结果被视为有效。但是,如第七部分所述,我们建议当选的CCM 成员在下一次选举前的任期仅为 6 个月。**Conclusion:** It is our conclusion that the CBO/NGO election process was sufficiently "transparent, documented, and developed within the sector" for the election result to be regarded as valid. However, as discussed in Section 7, we recommend that the elected CCM member should only serve for six months before the next election takes place.

在A到E的评价等级(注:F级为不合格),我们感到草根组织类别的选举仅能打"D"级的分。仅能给这个低分的主要原因(但是当然不是唯一的原因)是参与该选举的组织的数量很少,原因是:On a scale of A to E (with "F" being a failing grade), we feel that the CBO/NGO election process only scored a "D". The main factor contributing to this low passing grade – but certainly not the only one – is that the number of organizations participating in the election was low, which in turn was because:

- (a) 组织被不正确地告知仅有注册的组织能够参与投票。Organizations were incorrectly informed that only registered organizations could participate in the vote.
- (b) 没有试图去为可能的与会者寻求参会资助。No means was found to finance the travel costs of potential participants.
- (c) 在讨论选举规则当天就安排实际的选举,CCM 秘书处等于排除了类别组成员通过电子邮件、传真或短信提交选票的可能性。By arranging for the discussion about election rules to be on the same day as the actual election, the CCM Secretariat ruled out the possibility of sector group members choosing to have an election involving votes submitted by email, fax, or SMS.
- (d) 在发布选举通知和实际的选举之间的时间太少,但实际可以有更多的时间。Less time was provided between the election notice and the actual election than might have been possible.
- (e) 爱知行要求许多组织不要参加。(这当然不是选举召集人的错误。) Aizhixing urged many organizations not to participate. (This, of course, was not the fault of the convener.)

选举当然是有缺陷的,但是我们没有给出不合格的打分的主要原因是: The election was certainly flawed. But the main reasons that we did not give the election process a failing grade are:

- (a) 这是中国第一次进行 CCM 选举——"有如婴儿蹒跚学步"。(如果在今后的选举中再出现同样的问题,我们很可能就要给出不合格的打分了。因为,那时这个婴孩应该能够走得更稳。)This is the first time that CCM elections have been conducted in China "the baby is learning to walk, but somewhat unsteadily". (If the same sequence of events were to take place in a future election, we might well give that election a failing grade. By then, the baby should be capable of walking much more steadily.)
- (b) 我们没有看到确切的证据表明 CCM 秘书处试图让哪个特定的候选人,或者哪一

类候选人当选。We see no convincing evidence that the CCM Secretariat was trying to cause a particular candidate, or type of candidate, to win.

感染者类别组选举 The PLWHA election

A: <u>感染者类别组选举是如何进行的</u> How the PLWHA election was conducted

- 1. 2006 年 3 月 27 日的特别工作组会议上,CCM 秘书处被指定为感染者组别选举的 召集人。At the 27 March 2006 SWG meeting, the CCM Secretariat was appointed to serve as convener of the PLWHA election.
- 2. 从 3 月 27 日到 4 月 12 日,CCM 秘书处没有努力就选举过程咨询感染者类别组成员的意见。CCM 秘书处确实收到了来自某感染者组织(红树林)关于选举过程的一份详尽的建议书,尽管该组织的负责人(李想)当时是 CCM 成员,他们还是没有采纳这些建议。Between March 27 and April 12, the CCM Secretariat did not attempt to consult with multiple PLWHA sector group members about the election process. It did receive detailed suggestions from one PLWHA organization (Mangrove) regarding election process, but it chose to ignore those suggestions, even though the leader of that group (Adam Li) was at that time a CCM member.
- 3. 4月12日,CCM 秘书处发布了一则关于感染者类别组选举的通知。秘书处邀请感染者小组和设立在各地 CDC 的全球基金项目办帮助发布该通知。On April 12, the CCM Secretariat sent out a notice about the PLWHA election. The Secretariat asked PLWHA groups, and GF project offices in local CDC offices where such offices exist, to provide help in spreading the word.
- 4. 通知随即通过多个电子邮件组发给更多的感染者,有数百名这些邮件组的注册用户收到该通知。The notice was then relayed to multiple additional PLWHAs through various email lists that have hundreds of subscribers.
- 5. 随通知附有一份申请表,有意参加选举的感染者可以按要求填写,并于 4 月 22 日前提交到 CCM 秘书处。The notice had an application form attached, which PLWHAs could fill in stating that they wished to take part in the election. The form had to be returned to the CCM Secretariat by April 22.
- 6. 通知提到,初定于 4 月 27 日召开感染者类别组会议,将由参会的感染者决定选举规则,并进行选举。但通知中并没有说明会议将在北京举行,而是说"会议具体时间、地点将另行通知。" The notice specified that there would be a PLWHA meeting on April 27 at which election rules would be decided by PLWHA participants, and at which the election would then take place. The notice did not specify that this meeting would be in Beijing. It said that information would be sent later regarding the time and location of the election meeting.
- 7. 通知中没有提到为参加会议者来开会提供交通方面的资助。The notice did not offer any financial support to enable participants to travel to the election meeting.

- 8. CCM 秘书接受了所有向他们递交了报名申请的感染者的报名,而没有对他们进行资格审查。When PLWHAs sent in to the Secretariat their requests to register for the election, the Secretariat accepted all of them, without checking their credentials.
- 9. 在 CCM 秘书处 4 月 25 日发布的第二则通知中提到,CCM 秘书处与已经报名参加选举的感染者联系,公布截止 4 月 22 日,有 114 名感染者报名参加选举。通知中说了选举会议的时间及地点,选举定于 4 月 27 日,也就是通知发布仅仅两天之后进行。收到通知的感染者被要求在次日,即 4 月 26 日确认他们是否参会。In its second notice, on April 25, the CCM Secretariat contacted the PLWHA that had registered to take part in the elections, announcing that 114 PLWHA had registered by the April 22 deadline. The notice provided details of time and place of the meeting that was to take place on April 27, only two days later. Recipients were asked to confirm their attendance by the following day, April 26.
- 10. 报名参加会议的人在地理上分布不均。例如,北京只有 1 人,但有一个或两个县甚至一些城镇却有 20 或 30 人。The people registering for the meeting were very unevenly spread, geographically. For instance, there was only one from Beijing, yet from one or two counties or even towns there were 20 or 30.
- 11. 4 月 25 日晚些时候,就在其第二则通知后数小时,CCM 秘书处以电子邮件的形式给已报名参加会议的人发出第三则通知,通知称"为保证能公正、公平地在本类别组选举出代表广大感染者的 CCM 代表,CCM 秘书处决定取消 27 号的会议,待广泛征求意见后再重新组织选举。" Late on April 25, only a few hours after its second notice, the CCM Secretariat emailed a third notice to all who had registered, stating that in order to ensure a fair and transparent process, the April 27 meeting had been cancelled, and would be re-scheduled after wide consultation.
- 12. 次日,即 4 月 26 日,发出第四则通知,通知上说,4 月 27 日的会议将如期召开,会议将讨论选举程序(这与此前通知相同),但不包括实际的选举。通知没有明确提到,4 月 27 日会议上关于选举程序的讨论是否会最终决定选举程序。On the following day, April 26, a fourth notice was sent out, saying this time that the April 27 meeting would take place after all, and that it would (as before) enable participants to discuss the election procedure, but that it would not include the actual election. The notice was unclear as to whether the discussion regarding election procedures at the April 27 meeting would lead to actual decisions on the subject.
- 13. 4 月 27 日的会议仅有 7 名感染者(仅是 116 名报名参加选举的人的一小部分),加上 4 家 NGO 的代表,世界卫生组织和联合国艾滋病规划署作为观察员,以及 CCM 秘书处的工作人员参加。会上,CCM 秘书处介绍了一些有关 CCM 新章程的背景信息。与会者(感染者和非感染者)随即讨论了可能的选举程序。会议未能就选举程序达成一致意见,仅在选举的一些总的指导方针达成了某些共识。The April 27 meeting was attended by a mere seven PLWHA (only a small fraction of the 116 who had by then registered for the election), plus representatives of four NGOs, observers from WHO and UNAIDS, and CCM Secretariat staff. At the meeting, the CCM Secretariat provided some background information about the CCM TORs. The meeting participants (both PLWHA and non-PLWHA) then discussed

- possible election procedures. The meeting did not reach a firm agreed decision about election procedures; instead, it arrived at a somewhat unarticulated sense about some broad guidelines for the election.
- 14. 4 月 27 日会议之后,CCM 秘书处组织了选举。采用的选举程序很特别,也只能是这样,但是比 27 日会议上感染者达成的共识更为明确。另一方面,程序并不和 27 日会议上达成的共识有直接抵触的地方。Subsequent to the April 27 meeting, the CCM Secretariat organized the election. The procedures it used were specific, as they had to be, but they were more specific than anything that had been agreed to by PLWHA at the meeting. On the other hand, the procedures did not directly contradict anything agreed to at that meeting.
- 15. 遵循的选举程序是这样的: The procedures followed were as follows:
 - 秘书处联络那些因为收到通知晚了而错过报名截止日期的感染者,并且允许他们报名参与选举过程。The Secretariat contacted PLWHA who had missed the deadline through receiving notification late and permitted them to register for the election process.
 - 秘书处联络了 116 名报名的感染者,向他们发去了一份补充信息表,请他们提供有关他们的进一步信息。(截止 5 月 9 日,有 73 人提交了补充信息表,其中 63 人集中来自三个省。) The Secretariat contacted 116 registered PLWHA, inviting them to provide additional information about themselves through a supplemental form. (73 did so by the May 9 deadline, of which 61 came from just three provinces.)
 - 第一轮投票在参与者最多的三个省中以传真形式进行,目的是把这三个省的候选人人数削减为三人。这样就在最后一轮投票中就只有 21 个候选人。A first round of voting was conducted by fax in the three provinces that had many participants, in order to narrow down the number of candidates to three in each of those provinces. This left 21 candidates for the final round of voting.
 - 第一轮的投票,大多数是通过签名的传真进行的,我们有看到了这些签名的传真件。然而,有个省由于发生洪灾,有些投票者没有收到投票单。对于他们,允许用电话(有录音)形式投票。我们有机会听到那些电话的录音。Most voting in the first round of voting was via signed faxes, which we have seen. However, in one province there had been flooding, so voters did not receive the voting forms. For them, voting was permitted by recorded phone calls. We were offered the opportunity to listen to the recordings of the calls.
 - 最后的投票中的 21 人既是投票人,也是候选人。投票前,21 人均收到其他人的 进一步的介绍性材料。The final 21 acted as both voters and candidates.
 Before the vote, each of the 21 was sent additional biographical information about the others.
 - 得票最多的 CCM 成员的候选人的得票数是三票。这主要是因为,21 个参与者都既是投票人又是潜在的候选人,也就是说很多人投了自己一票。The most votes received by any candidate for CCM member was three. This was

- primarily because each of the 21 participants was both a voter and a potential candidate, meaning that many people voted for themselves.
- 所有最后一轮投票都通过有签名的传真形式进行,我们见到了那些传真的复印件。All voting in the final round was via signed faxes, copies of which we have seen.
- 16. 投票结束后,116 名报名的感染者中的 76 人(他们中的大多数或全部与爱知行有一定联系)之间互相联络。他们中的 11 人与 CCM 秘书处会晤,抗议已经发生的选举的程序。他们要求举行一次新的选举,被秘书处拒绝了。After the voting was completed, 76 of the 116 registered PLWHA, most or all of whom had links with Aizhixing, got in touch with each other. Eleven of them then had a meeting with the CCM Secretariat to protest the procedures that had taken place. They asked for a new election, but the Secretariat declined.

B: <u>我们对于感染者类别组选举过程的评价</u> Our comments regarding the PLWHA election process

对于感染者类别组选举过程的评价: Comments re the PLWHA election process:

- 1. 根据过渡时间工作方案,CCM 应该给予 CCM 秘书处(或其他召集人)一些指导,比如如何担任好感染者类别组选举召集人这一具有挑战性的职务。The CCM should, through its Transition Plan, have given the CCM Secretariat (or some other convener) some level of guidance as to how to perform its very challenging convener role for the PLWHA election.
- 2. 从 3 月 27 日到 4 月 12 日,CCM 秘书处至少能够且应该以非正式的方式咨询更多感染者个人或者组织的意见,问问他们在 4 月 12 日通知里该说些什么,以及哪些人应收到该通知等。应该更加认真地考虑这一点,这确实值得。Between March 27 and April 12, the CCM Secretariat could and should have informally consulted with far more PLWHA individuals and organizations than it did about what to say in the April 12 notice and whom to send it to. And it should have given more serious consideration to the suggestions it did receive.
- 3. 4 月 12 日的通知应该清楚写明 4 月 27 日的会议将在北京举行。The April 12 notice should have specified that the April 27 meeting would be in Beijing.
- 4. 4 月 12 日的通知应该从一开始就指明 4 月 27 日的会议将只是制定选举规则,选举将在晚些时候举行,以远距离形式进行,可以鼓励和让更多的人参与。 The April 12 notice should have specified from the beginning that the April 27 meeting would be used just for setting the election rules, and that the election would be held later on a remote basis. This would have encouraged and permitted a much broader participation.
- 5. 即使 CCM 秘书处没有资金协助支付选举费用,秘书处也可能从公众或者私营/人捐助者,甚至从爱知行募得此笔资金。Even though the CCM Secretariat did not have funding to assist with election costs, it might have been possible for the CCM Secretariat to raise such funds from public or private donors, or even from Aizhixing.
- 6. 4 月 27 日可以举行一次选举策划会,而选举则可以选择在其后一个月或者更晚的时间举行,使可以有更多地时间策划,让更多的组织参与。The April 27 election-planning meeting, and the actual election, could have taken place a month or so later, thereby permitting more time for planning and participation.
- 7. CCM 秘书处对每一个希望参加选举的感染者进行资格审查,可能会很难,但是并不是不可能。 It would have been hard though not impossible for the Secretariat to do a thorough screening of the qualifications of each PLWHA wishing to take part in the election.
- 8. 我们非常遗憾地看到关于 4 月 27 日会议的计划不停地变来变去。It was extremely unfortunate that plans regarding the April 27 meeting kept changing.
- 9. 在 2006 年 4 月 27 日的会议上, CCM 秘书处确实听取了感染者与会者对于选举程

序的意见,但是没有充分地推动与会者实际地<u>决定</u>选举程序。At the April 27 meeting, the CCM Secretariat certainly solicited opinions from PLWHA participants about election procedures, but it did not sufficiently push the participants to actually <u>decide</u> election procedures.

10. 4 月 27 日会议期间及此后,CCM 秘书处在一定程度上履行了 CCM 改革过渡时间 工作方案有关 "召集人负责(选举)相应程序和规则的制定"的规定,但是不应该这样做,这条规定是不合理。During and after the April 27 meeting, the CCM Secretariat to some extent followed the CCM Reform Transition Plan ruling that the "conveners are to make relevant procedures or rules" regarding the election, but it should not have done so, because that was an inappropriate ruling.

C: <u>感染者组织类别组选举程序的透明、有记录及类别组自主拟订的程度</u> Extent to which the PLWHA election process was transparent, documented and developed within the sector

结论: 我们的结论是感染者类别的选举过程是一仅是一足够满足"由该类别组拟订的、透明、有记录"的标准,该类别的选举结果被认为是有效的。我们建议当选的 CCM 成员在下一次选举前的任期应该仅为 6 个月。 Conclusion: It is our conclusion that the PLWHA election process was – just – sufficiently "transparent, documented, and developed within the sector" for the election result to be regarded as valid. As discussed in Section 7, we recommend that the elected CCM member should only serve for six months before the next election takes place.

在 A 到 E 的评价等级(注: F 级为不合格),我们感到感染者类别的选举仅能打"E"级的分。仅能给这个<u>非常</u>低的分的主要原因(但是当然不是唯一的原因)是参与 4 月 27 日的选举程序咨询会的感染者数目<u>非常</u>少(主要由于这次咨询会的多个通知混乱地交织在一起),以及那些感染者并没有完全决定选举程序。On a scale of A to E (with "F" being a failing grade), we feel that the election process only scored an "E". The main factor contributing to this <u>very</u> low passing grade – but certainly not the only one – is that the number of PLWHA involved in the April 27 discussion about election procedures was <u>very</u> low (primarily as a result of the multiple conflicting announcements about that meeting), and that those PLWHA did not fully determine the election procedures.

感染者类别组选举当然是有缺陷的。但是我们没有给出不合格的打分的主要原因是: The election was certainly flawed. But the main reasons that we did not give the election process a failing grade are:

- (c) 这是中国第一次进行 CCM 选举。(参见上一部分我们对于草根组织类别组选举的结论部分) This is the first time that CCM elections have been conducted in China. (See the discussion on this point under the CBO/NGO election, above.)
- (d) 我们没有看到确切的证据表明 CCM 秘书处试图让某个特定的候选人,或者某类 候选人当选。We see no convincing evidence that the CCM Secretariat was

trying to cause a particular candidate, or type of candidate, to win.

建议 CCM 今后应采取的恰当步骤 Recommendations as to appropriate next steps by the CCM

我们建议: We propose that:

- (a) 草根组织类别组和感染者类别组选举(指 CCM 秘书处最近所召集的选举)当选的 CCM 成员和"列席代表"应该于 2006 年 7 月 28 日 CCM 会议前以书面形式告知 CCM 秘书处: The people who were elected as CCM members and as "extra persons" by the CBO/NGO and PLWHA sectors (in the recent elections that were convened by the CCM Secretariat) should inform the CCM Secretariat, in writing, before the 28 July 2006 CCM meeting, that:
 - 他们本次任期只有6个月,即2006年12月5日截止。They will regard their current term of office as lasting only six months that is, until 5
 December 2006.
 - 他们将在 2006 年 11 月召集各自类别组的新一轮选举以便他们的接任者能在 2006 年 12 月 5 日顺利交接。They will call for new elections to take place within their respective sectors in November 2006 such that their successors can take office on 5 December 2006.
 - 他们将建议 2006 年 11 月的选举当选的 CCM 成员及列席代表的任期应为 18 个月。They will recommend that the people elected in the November 2006 elections should have a term of office of eighteen months.
 - 如果他们参加 2006 年 11 月的选举,如果当选,则在 2008 年 6 月 5 日的 第三次选举时,他们将不再连任。If they themselves stand for office in the November 2006 election, and if they are elected, they will not stand for office in the third election, to take place by 5 June 2008.
 - •他们将请求并协助联合国艾滋病规划署作为 2006 年 11 月选举的召集人/ 协助者。他们将请求联合国艾滋病规划署主持各类别组选举程序的面对 面或者电子手段的讨论,并且帮助贯彻实施各类别组自己制定并认可的 选举程序。They will request and assist UNAIDS to serve as convener/facilitator for the November 2006 elections, in which capacity they will ask UNAIDS to host in-person and electronic discussions within the sector regarding electoral procedure, and to help implement electoral rules developed and agreed to within the sector.
 - 作为讨论的一部分,他们将鼓励其类别组内外的广泛各方的提供建议,包括借鉴国际上的好的想法及最佳实践。特别是寻求爱知行的参与,爱知行在如何进行良好的 CCM 选举实践上贡献良多。As part of these discussions, they will encourage input from a wide range of parties inside and outside their sector, including internationally, regarding good

ideas and best practice. In particular, they will seek input from Aizhixing, which has devoted considerable thought to good CCM electoral practice.

- 他们将鼓励国内外力量提供一定的资金,由处于中立的联合国艾滋病规划署来管理,用于支持有争议的类别组制定的选举程序。They will encourage domestic and international sources of funding to offer modest grants, to be neutrally administered by UNAIDS, that can be used to support whatever electoral processes are developed within the sectors in question.
- (b) 即使选举程序及 CCM 成员任期长短(只要任期不超过 2 年)不由 CCM 决定,但是一旦(a)中提到的各种步骤得以实施,CCM 也应该尽可能接纳这些步骤。 Even though it is not for the CCM to determine electoral processes or term of office of CCM members (so long as the term does not exceed two years), the CCM should find a way of welcoming the steps in (a) above, if they take place.
- (c) CCM 应该汲取最近选举的教训,认真考虑本报告中有关 CCM 政策及实践的建议。The CCM should take note of the lessons learned from the recent elections, and should seriously consider those recommendations in this Report that relate to CCM policies and practice.
- (d) 两个类别组的成员也应该汲取最近选举中的教训。Members of the two sector groups in question should take note of the lessons learned from the recent elections.

一些最终观察 Some final observations

一些最终观察: A few final observations:

- (a) 所有 CCM 都面临挑战,并都认为自己面临的问题更为不寻常,而实际情况却不见得。All CCMs face challenges, and each believes its problems are much more unusual than they actually are.
- (b) 许多 CCM 经历着"进两步,退一步"的成长过程,这是无法避免的,因为 CCM 是一个相对较新的概念,而且全球基金的一些期望与要求也在发展中。Many CCMs experience a "two steps forward, one step back" form of growth; this is inevitable given that CCMs are a relatively new concept and that the GF's expectations/requirements are evolving.
- (c) 每个 CCM 都能从别人提供的更好的建议中获益。Every CCM can benefit from activists who point out ways in which the CCM could do better.
- (d) 但是这些活动总存在一些危险,即'某些个人或团体会认为参与相关活动,带来麻烦不值当,他们更希望在一个更加传统、更能掌控的 CCM 以外的环境中行事。 But there is always the risk that such activism will lead to certain individuals or institutions saying that it's not worth the trouble of being involved and that they would rather function in a more conventional and controlled environment outside the CCM.

- (e) CCM 是合作。如果主要合作伙伴不参与,或者有名无实地参与,合力会被极大 地削弱。The CCM is a partnership. If a key partner leaves the table, or decides to be only nominally involved, the partnership can be seriously weakened.
- (f) 中国 CCM 在 6 到 12 个月后,极有可能从最近的经验中增长力量,并被世界范围内引称为"最佳实践"的典范。甚至现在,CCM 从 56 个成员削减到 22 个成员,增加了而非降低了成员的代表性,这些变化就已经非常令人瞩目了。There is every possibility that six or twelve months from now, the China CCM will have emerged with strength from its recent experiences, and will be cited by many around the world as representing "best practice". Even now, the CCM's action in going from 56 members to 22 members while increasing, rather than decreasing, the "representativeness" of its membership, is enormously impressive.

Appendices

Appendix 1: Terms of Reference of this Review

The following terms of reference were provided by UNAIDS to Bernard Rivers

Terms of Reference for an international consultant to review two disputed elections of the Country Coordination Mechanism of the Global Fund to Fight AIDS, TB and Malaria in China

At its plenary meeting held on June 5th 2006, the Country Coordination Mechanism (CCM) of the Global Fund to fight AIDS, TB and Malaria (GFATM) accepted the result of the elections of sector group representatives, but noted that the results of two elections had been disputed: those concerning (a) people living with HIV, TB or malaria, and (b) community based organizations or other NGOs.

In order to address the disputed elections in accordance with the procedures outlined in the terms of reference of the CCM, the CCM plenary established an ad hoc working group to be chaired by UNAIDS to review the process followed in the disputed elections. For the review to be perceived as fair, independent and impartial, and for the conclusions of the review not to be challenged, UNAIDS China has decided to recruit a well-known and respected international observer of the Global Fund, someone who is perceived as neutral and objective, to assist in carrying out the review.

Specific tasks to be performed:

The purpose of the proposed assignment is to review the extent to which the disputed CCM sector group elections followed a process which was transparent, documented and developed within the sector.

The specific tasks involved include the following:

- Analyze the extent to which the election processes meet acceptable standards of transparency.
- 2. Review the documentation of the election processes and make an assessment of the appropriateness of the documentation.
- 3. Assess the way in which the election processes were developed and determine the extent to which these were developed within the sector.
- Prepare a report summarizing the key findings of the review including recommendations for the CCM (Chair and Vice Chair) to consider

The assignment will include a review of relevant documents on the CCM elections as well as interviews with a number of stakeholders, including the China CCM Secretariat, which convened the disputed elections, NGOs and people living with HIV, TB or Malaria who participated in the elections as well as those who did not participate in the elections.

In making a determination as to whether the disputed CCM sector group elections should be deemed acceptable or not, comparisons should be made with processes followed in other sector group elections in China.

As part of the assignment, the consultant is also requested - to the extent possible - to collect information on the overall experience of and procedures for electing CCM members and to suggest modifications, as necessary, to further improve future elections.

Appendix 2: Biographical Details, Bernard Rivers

Bernard Rivers is Executive Director of Aidspan, and Editor if its *Global Fund Observer* newsletter, which is subscribed to by 10,000 people in 170 countries. Aidspan is a US-registered tax-exempt nonprofit organization whose mission is to reinforce the effectiveness of the Global Fund by serving as an independent watchdog of the Fund, and by supporting organizations and governments in developing countries that wish to obtain and make effective use of Global Fund financing.

Aidspan finances its work primarily through grants from foundations, and does not accept Global Fund money. By early 2007, Aidspan plans to move its principal base (and Bernard's primary home) from New York to Nairobi, Kenya. Most new Aidspan employees will be citizens of developing countries.

Among the publications available from the Aidspan web site (www.aidspan.org) are "The Aidspan Guide to Building and Running an Effective CCM", "The Aidspan Guide to Effective Implementation of Global Fund Grants (Volume 1): From Grant Approval to Signing the Grant Agreement", and "The Aidspan Guide to Round 6 Applications to the Global Fund."

Aidspan has sent Bernard on several visits to China, Kenya and Nigeria to help the CCM's of those countries think through governance and related issues.

Aidspan is providing Bernard's time for this China consultancy on a pro bono basis.

Bernard Rivers

Email: Rivers@aidspan.org
When in Beijing: 1391-919-8571
New York: +1-212-662-6800

Appendix 3: Biographical Details, Qiu Renzong

- Professor of Bioethics, Institute of Philosophy, Honorary Director, Center for Applied Ethics, Chinese Academy of Social Sciences
- Professor, Center for Bioethics, Peking Union Medical College
- Professor, Health Science Center, Peking University
- Professor and Director, Center for Bioethics, Central China University of Science and Technology

Prof. Qiu is the Member of Ethics Committee, the Ministry of Health (2000-); Member of Expert Committee on Health Policy and Management, Ministry of Health (2002-); Member of National Expert Committee on AIDS/HIV (2004-); Chair of Ethics Committee, National Human Genome Research Center (2002-); Director of the Ford Project of Reproductive Health and Ethics in China (1993-); Member of the Committee on Ethical Aspects of Reproductive and Women Health, FIGO (2005-), Fellow of The Hastings Center (2006-); Member of the Reference Group of Human Rights, UNAIDS; President of the 2006 World Congress of Bioethics (2005-2006).

Prof. Qiu was Adjunct Professor, Department of Philosophy, Georgetown University, USA (1998); Visiting Professor, Program in Medical Ethics & Department of Philosophy, University of Wisconsin-Madison, USA (1989.-1990); Visiting Professor of British Academy (1990); Member, Board of Directors, International Association of Bioethics (1992-1998); Member, International Bioethics Committee, UNESCO (1993-1997); Assessor, Executive Committee, International Union for History and Philosophy of Science/Division of Logic, Methodology and Philosophy of Science Gender (IUHPS/DLMPS) (1995-1999); Member, Advisory UNDP/UNFPA/WHO/World Bank(1995-1998); Member of Ethics Committee, Human Genome Organization (HUGO,1996-2004); President of Asian Bioethics Association (2002-2004); 2002 Winner of World Technology Network (WTN) Award Ethics (in New York); Member of the ELSI Committee, International HapMap Project (2003-2005).

Prof. Qiu is the author or co-author of the books: *Bioethics* (1987,1988), *Patients' Rights* (1996), *Reproductive Health and Ethics* (editor, 1996, 2006), *AIDS, Sex and Ethics* (1997,1999), *Chinese Women and Feminist Thought* (co-editor, 1999), *An Introduction to Bioethics* (2003, 2005), *Biomedical Research Ethics* (2003), *Bioethics: Asian Perspectives* (editor, in English, 2004), *Feminist Philosophy and Public Policy* (editor, 2004), *Bioethics: Feminist Approaches* (editor, 2006), and published more than 300 articles or chapters on bioethics or philosophy of science in Chinese, French, German, Japanese, Romanian, Spanish, UK, USA journals and books.

Prof. Qiu is also the translator of Karl Popper's writings including *Unended Quest, The Logic of Scientific Discovery, The Poverty of Historicism.*

Mailing Address:

Professor Qiu Renzong Director, Program in Bioethics Institute of Philosophy, Chinese Academy of Social Sciences #5, Jianguomennei Avenue Beijing 100732, China

Tel.: 86 10 86714236

Fax: 86 10 65296484 (O) 67502264 (H)

Email: rzq@chinaphs.org

qiurenzong@hotmail.com
renzong@gmail.com

Appendix 4: Avoidance of Conflicts of Interest

Bernard Rivers has known Ren Ming Hui, CCM Chair, and Prof. Qiang Zheng-Fu, CCM Secretary, since 2003, and Wan Yanhai since early 2005. There have been no financial links between Bernard (or his organization, Aidspan) and any of these people or their organizations.

Both Aidspan and Aizhixing have received grants from Open Society Institute (OSI). Bernard Rivers has not discussed this project with OSI, and will not do so prior to completion of the final version of this report.

Aidspan is providing Bernard's time at no charge for this project, in order to avoid the conflict of interest that might conceivably arise if his time was paid by a funding source that might have an interest in the outcome of this review.

Qiu Renzong has been an outside member of the Ethics Review Committee (ERC) of the Centre for AIDS/STDs Prevention and Control, which is affiliated with China CDC. The ERC's mission is to review and approve the protocols submitted by researchers working for China CDC.

Qiu has known Wan Yanhai since 1992, and has met him many times at meetings on AIDS issues.

Neither Qiu nor his institution, the Institute of Philosophy, Chinese Academy of Social Sciences, has any financial relationship with China CDC or with Wan Yanhai or with Aizhixing.

Appendix 5: Methodology Followed

The following document was sent on 16 July to the "interested parties" described below, except for one or two for whom we did not have email addresses. Earlier versions were sent to many of the same people.

Planned methodology for consultant review of China CCM election

Bernard Rivers, Executive Director, Aidspan and Qiu Renzong, Honorary Director, Center for Applied Ethics, Chinese Academy of Social Sciences.

12 July 2006, updated 16 July 2006

We have been asked to conduct a Review of the CCM membership elections that took place recently within two sector groups of the China CCM. The TOR that were provided to one of us (Bernard Rivers) are provided in Appendix 1.

The methodology we will follow in conducting our Review is described below. To strengthen the chances that the CCM will accept the findings of the Review, it is important that all the interested parties accept the Review's methodology. (By "interested parties", we mean the people we interview, plus CCM Chair and Vice-Chair, plus members of the CCM Ad Hoc Working Group, plus the Global Fund.) Accordingly, we request all the interested parties to email Bernard Rivers (rivers@aidspan.org) and Qiu Renzong (qiurenzong@hotmail.com) by 6 pm Beijing time on Monday 17 July stating whether they accept the methodology as described below and, if they do not accept the methodology, to state why not. If we do not hear from certain parties by that time, we will assume that those parties accept the methodology. Our report will state, for each party, whether or not they accepted the methodology, and if not, why not.

We plan to proceed as follows:

- July 11-15: Review documentation, and interview various interested parties.
- July 16-17: Prepare Draft Report.
- July 18, morning: Send Draft Report to the parties we have interviewed, plus CCM Chair and Vice-Chair, plus members of the CCM Ad Hoc Working Group, plus the Global Fund.
- July 18, morning: Bernard Rivers leaves China.
- July 18, morning, to July 25, 9 pm (Beijing time): Parties we have sent the Draft Report email us their comments, if any, on the Draft Report.
- July 26-30: Prepare Final Report.

 By July 31, 9 am Beijing time: Send Final Report to all parties who were sent the Draft Report, and make the report public. [Note added later: Because there will be a CCM meeting on the afternoon of July 28, we will make every effort to send our Final Report by July 27, 9 am Beijing time.]

People to whom we send the Draft Report may share it with their close colleagues, but we strongly request them not to disseminate it further via email lists, websites, etc. The reason for this is that it is always possible that the Draft Report contains minor factual errors, errors of translation, or recommendations that we decide to modify slightly as a result of further thought and feedback. On the other hand, the Final Report will be a totally public document.

The main sections in the Report will be:

- A: Introduction
- B: Background to the elections
- C: Events following the elections
- D: Our description, based on the interviews and the document review, of how the elections were conducted.
- E: Our assessment of the strengths and weaknesses of the election process.
- F: Our assessment of the extent to which the elections process was transparent, documented and developed within the sector.
- G: Our recommendations as to appropriate next steps by the CCM and by the parties involved in the elections in question.
- H: Our recommendations as to what changes (if any) should be made to the CCM TOR and/or to the procedures to be followed in future CCM elections.

Appendices:

- (a) Terms of Reference
- (b) Biographical Details, Bernard Rivers and Qiu Renzong
- (c) Avoidance of Conflicts of Interest
- (d) Methodology Followed
- (e) People Interviewed
- (f) Documents Reviewed
- (g) Statements submitted in writing by various people we interviewed, plus translations into English when those statements were provided in Chinese
- (h) Plus possibly more

We invite the parties we interview to submit to us, by 6 pm Saturday 15 July, a written statement regarding any or all of (D) through (H) above. (People who did not receive this methodology document until later than this deadline can, if they wish, request from us a

deadline of some agreed time on July 17.) The statement to be submitted to us can be up to five pages long (but shorter than that is preferred), and the statement can contain attachments providing additional or background information. We will include such statements (but not the attachments) in our report. The statements can be provided in English or Chinese. Our report will be in English, so any statements provided to us in Chinese will be translated into English for our report. There is no obligation to provide such a statement; but interviewees who wish to provide such a statement are welcome to.

We will base our report, and its findings and recommendations, only on the following:

- Interviews conducted with people listed in Appendix (e)
- Statements provided to us by those people, as reproduced in Appendix (g).
- Documents listed in Appendix (f), most or all of which will be provided by the people listed in Appendix (e). (Each document listed in Appendix (f) will state who provided the document.) These documents will be of the following two types:
 - (i) Documents that are in the public domain, and/or that anyone can obtain from whoever provided the document to us.
 - (ii) Documents that are not in the public domain. For any such document, we will state in Appendix (f) why whoever provided the document chose not to put it in the public domain. Our believe is that the only documents that should not be in the public domain are documents that contain personal information such as contact information of people living with the diseases, names of which people voted for which candidate, etc.

Appendix 6: People Interviewed

Adam Li, Mangrove Support Group, plwha@126.com

Ai Hui, Vol. Working Team for Homosexual Community in Anshan, aihui7777@sina.com

Chang Kun, Snowlotus Project, xinjiangaids@163.com

Cui Juan, CCM Secretariat, cuijuan@chinaglobalfund.org

Hu Yiyan, CCM Secretariat, viyunhu@chinaglobalfund.org

Jia Ping, Northeastern Center for Health and Education, jofree@163.com

Li Xige, Lovingsource, <u>lixiqe666@163.com</u>

Liu Jian Ying, Beijing Red Ribbon Center, liujian.ying1111@sina.com

Lu Jun, Civic Health Status and Education Rights Working Group (email not known)

Meiqi Hu, Ministry of Health, humq@moh.gov.cn

Odilon Couzin, China AIDS Info, odilon@china-aids.org

Qiang Zhengfu, CCM Secretariat, zfqiang@chinaglobalfund.org

Ren Ming Hui, Ministry of Health, CCM Chair, renmh@moh.gov.cn

Shen Jieyong, representative of 76 PLWHAs, shenjieyong@hotmail.com

Thomas Cai, AIDS Care China, aidscarecn@hotmail.com

Tian Xi, PLWHA (email not known)

Wan Yanhai, Aizhixing Health Education Institute, wanyanhai@hotmail.com

Wu Wei, CCM Secretariat, wuwei@chinaglobalfund.org

Yaqi Guo, Beijing Gender Health Education Institute, yaqiquo@hotmail.com

Zou Yunduo, CCM Secretariat, zouyd@chinaglobalfund.org

Appendix 7: Statement by CCM Secretariat (in Chinese)

- 1. 中国 CCM 成立于 2002 年,根据自身的特色和中国的实际情况,创造性地开展工作,制定出全球基金第一个 CCM 章程;成立艾滋病、结核病和疟疾三个专项工作组;主动提出和邀请国际独立机构对中国 CCM 进行评估,提出改革方案。这些都为全球基金制定 CCM 指导意见提供了宝贵的经验,作出了贡献。
- 2. 中国 CCM 新成员的选举,完全是按照"中国 CCM 改革过渡时期工作方案"进行的。 该工作方案经中国 CCM 第十五次全体会议(2006 年 2 月 20 日)原则通过,特别工作组会议(2006 年 3 月 27 日)布置确定。
- 3. 根据特别工作组会议(3月27日)安排,由卫生部召集政府部门成员的选举,中国CDC 召集专业和教育机构的选举,中国红十字会召集人民团体的选举,中国性艾协会召集社会团体的选举,UNAIDS 召集国际非政府组织的选举,WHO 召集国际多边机构的选举,英国 DFID 召集国际双边机构的选举,秘书处召集中国以社区为基础的组织或其他非政府组织、私有/公有企业及感染者的选举。

各召集单位在规定的时间内都是以发书面通知、传真、电话和网上公布消息的形式召集 各类别组成员报名参加选举工作、然后召开会议;而选举的方法、程序都由各类别组参 加选举的代表自己讨论决定,选出自己的代表。

- 4. 中国 CCM 的选举是完全符合规定的,选举过程是公开、透明和公正的。中国 CCM 第十六次全体会议正式确认了 CCM 新成员的选举结果。
- 5. "中国 CCM 改革过渡时期工作方案"没有明确 CCM 成员选举的操作程序,原因在于:
 - (1) CCM 新的改革机制是个新事物,没有先例可循,是在摸索中进行的,难免会有 考虑不足之处:
 - (2) 全球基金对 CCM 的指导意见也没有明确提出各类别成员选举产生的操作程序,但他们又把中国 CCM 改革的完成与否作为第五轮项目协议签署的前提条件,时间上的限制和中国的实际情况不可能让中国 CCM 在短时间内,考虑周全在中国大规模范围内的选举方式;
 - (3) 目前中国的所谓"草根组织"处于初期发展阶段,良莠不齐,也不规范,还没有出现真正具有号召力、影响力的草根组织中的核心组织。因此要在短时间内设计出一套较为完整的、切实可操作的"以社区为基础的组织或其他非政府组织"的选举方式和程序基本上是不可能的:
 - (4) 正是认识到这些原因,中国 CCM 决定对已完成的选举工作进行评估,提出改进意见,更好地完善 CCM 今后的选举工作。
- 6. 中国 CCM 的改革,最终目的是为了能在中国更好地开展全球基金项目,它要为中国全球基金项目保驾护航,它的改革进程不能影响中国全球基金项目的按计划顺利进行和完成。因此,中国 CCM 的改革(包括选举),只能是循序渐进的过程,通过发展,不断改进和完善。

Qiang Zhengfu July 14, 2006

Appendix 8: Statement by CCM Secretariat (translation to English)

- 1. China CCM was established in 2002 and operated according to the local condition and its own characteristics. China CCM developed the first TOR of the Global Fund; formed three working groups: one for AIDS, one for TB and one for malaria; initiated and invited international independent agency to assess its work and proposed a reform plan of the CCM. All of this work provided valuable experiences and made contributions to the development of guidelines for CCM by the Global Fund.
- 2. Election of new members to the China CCM followed strictly the China CCM Transition Plan, which was endorsed in principle by the 15th plenary session (February 20, 2006) of China CCM and the election was conducted based on the arrangement made at the special working group meeting held on March 27, 2006.
- 3. According to the arrangement of the special working group held on March 27, 2006, the CCM Secretariat was the conveners of the community based NGO and or other NGO sector election and the PLWHA sector election. The conveners for various sectors' election announced the written notice through fax, telephone, and email and through website regarding applications for sectors' election in the scheduled time, and conducted meetings. Procedures and process of elections were determined by the voters themselves in the respective sectors through discussions and consultations among themselves and the sector voters themselves elected the representatives to the CCM.
- 4. The election of representatives to China CCM was in full compliance with the principle, and the election process was transparent, public and fair. The 16th plenary meeting of the CCM recognized the results of the elections of new members to the CCM.
- 5. The China CCM Transition Plan did not specify operational procedures for the election, because:
 - 1) The reform was new to the CCM, there was no previous example to follow. The reform was carried out in a way of exploring, therefore, shortcomings were inevitable:
 - 2) The Global Fund guidelines on CCM did not specify operational procedures for sectors' election and the completion of China CCM reform was imposed by the Global Fund as a pre-condition for signing of the agreement for the Round 5 programme. Due to time constrains, and the Chinese condition, it was impossible for China CCM to consider an election with wide geographic coverage.
 - 3) The so-called grass root NGOs were at the early stage of development in China. The performance and operation of these NGOs varied to a certain degree. None of these NGOs had enough influential force, therefore, it was basically impossible to come up a better, and more feasible election methods and procedures for the election of representatives from the sector of community based NGOs and or other NGOs.
 - 4) Based on the recognition of the above reasons, China CCM decided to conduct a review of the elections and to develop a proposal for improving and betterment of

future elections of the CCM.

6. The ultimate objective of CCM reform was to better implement the Global Fund projects in China, and to protect the Global Fund projects in China. The progress of the reform should not influence the smooth implementation and completion of these projects as planned, therefore, the reform of China CCM, including elections shall only be regarded as a process that will be improved as it goes along.

Qiang Zhengfu July 14, 2006

Appendix 9: List of Document Provided by CCM Secretariat (English)

Documents provided by CCM Secretariat	Available to Public?
General documents	
Briefing on China CCM Reform and Members Selection: Background on China CCM reform Procedures on China CCM reform Introduction on new CCM TORs CCM transition plan on CCM member selection CCM member selection Briefing on CBO/NGO sector member selection (See Appendices 16 and 17) Briefing on PLWHA sector member selection (See Appendices 18 and 19)	Yes
Terms of Reference: China CCM (27 March 2006)	Yes
Report on CCM Member Selection Process (printout of a PowerPoint presentation)	Yes
China CCM Reform Transition Plan	Yes
Minutes of GFATM China CCM 15 th Plenary	Yes
Minutes of SWG meeting of China CCM for the GFATM Project (drafted by Secretariat based on SWG meeting of March 27)	Yes
Note for the Record: Nomination of an International NGO or Foundation Representative	Yes
Documents related to election of PLWHA sector group	
Notice of election for PLWHA sector group (1) and application form 2006.04.13	Yes
Notice of election for PLWHA sector group (2)2006.04.25	Yes
Notice of postponing the election 2006.04.25	Yes
Notice of meeting to collect options on election for PLWHA sector group 2006.04.26	Yes
Registration sheet for the meeting of collecting options 2006.04.27	No
Meeting minutes 2006.04.27	Yes
Contact information of participants 2006.04.27	No
Supplemented information form and instruction on form filling out	Yes
Voting sheet of pre-election for Hubei, Henan and Jilin province (Including votes from those who have no election right, since they didn't submitted supplemented form), and summary table	l No
Instruction for PLWHA election, voting sheet, candidate introduction, and application sheet for CCM Working Groups	No
Voting sheet received (20 votes except for Shen Jieyong who could not be reached during this period);	No

Documents provided by CCM Secretariat	Available to Public?
Summary table for votes and application for CCM working groups; Votes from those who are not eligible for election	No
Application sheet for CCM working groups and application from those who are not eligible for election	No
Documents related to the disputed person: Cai Hong	No
Documents related to election of CBO/NGO sector group	
Notice for election of CBO/NGO sector group (1) and application form 2006.04.10	Yes
List of NGOs informed	Yes
Application form received	No
Notice for election (2) 2006.04.24	Yes
Registration sheet for CBO/NGO election meeting 2006.04.27	Yes
Contact information of NGOs who have submitted applications	Yes
Application Sheet for joining CCM Working Groups	Yes
Voting sheet: Round 1, Round 2, Round 3	No
Summary table for voting, signed by participants	No
Confirmation and qualification of selected CCM member, and attending observers: Ai Zhi Yuan Zhu Center for Health and Education (CCM member), Center for the development of Liang Shan Yi Women and Children, Beijing Home of Red Ribbon.	Yes

Appendix 10: Statement by Wan Yanhai (in Chinese)

北京爱知行研究所关于 2006 年 4 月 27 日"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议的声明(第一篇) 万延海 北京爱知行研究所所长 2006 年 7 月 14 日星期五

鉴于独立调查员 Bernard Rivers 先生、邱仁宗教授 2006 年 7 月 12 日在和北京爱知行研究所及其它组织和人士访谈中承诺:独立调查员的正式调查报告将只引用书面且可公开的报告材料,并承诺将在下周公开其初步报告和相关证词,提供公众 2-3 周时间进行评论,从而确保最终报告可靠(有录音为证);鉴于 2006 年 7 月 13 日中午从独立调查员处接收到的关于调查方法的文件中并不包含上述明确的对证据引用的说明,文件只是含糊地说"We invite the parties we interview to submit to us, as soon as possible, in writing, any input they wish us to take into consideration regarding any or all of (a) through (e) above. It is possible, but not certain, that we will attach some or all of this input in the form of appendices to our report."因此,北京爱知行研究所暂不对独立调查员的调查方法和程序进行肯定或否定的评论。同时,我们将督促独立调查员们尽快提出一份完善的、对证据公开化做出明确承诺的调查方法说明文件。

今天,我代表北京爱知行研究所向 Bernard Rivers 先生和邱仁宗教授表示:北京爱知行研究所认为,2006 年 4 月 27 日"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议无效,理由和证据如下:

- 1、2006年3月27日最终通过的中国全球基金项目国家协调委员会(CCM)章程(试行)和2006年4月27日发生的、"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议中出现的"以社区为基础的组织或其它非政府组织"概念,相当于全球基金中国国家协调委员会章程(征求意见稿及其修改稿)(全球基金中国国家协调委员会秘书处、2005年12月22日)和2006年4月27日中国全球基金项目国家协调委员会秘书处强正富在该类别选举会议上使用的"草根组织"概念。
- 2、全球基金理事会要求全球基金秘书处在2006年9月30日之前和各个获得批准的第五轮项目签署赠款协议,全球基金秘书处建议中国在2006年7月1日之前签署赠款协议,中国方面原本希望在2006年4月底完成CCM成员选举、从而可以在4月底全球基金第十三届理事会大会期间签署赠款协议。
- 3、全球基金理事会第九届大会 2004 年 11 月通过决议,规定:代表非政府部门的 CCM 成员必须 由其所在的(每个)部门根据各自制定的、有记录的和透明的程序自行挑选或选举产生。并 且,国家协调委员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨款 申请的资格。
- 4、鉴于上述原因,原本可以有半年时间完成的 CCM 类别成员选举工作,被全球基金秘书处在加快赠款过程的思想支配下,人为地减少3个月,随后又被中国方面人为地减少2个月。
- 5、中国全球基金项目国家协调委员会章程(试行)2006 年 3 月 27 日通过后,到 CCM 秘书处 2006 年 4 月 10 日向"以社区为基础的组织或其它非政府组织"类别成员发布 CCM 类别代表选举会议期间,CCM 秘书处没有主动告诉该类别组选民有关选举的信息。时间再次被人为地减少2个星期。
- 6、从2006年4月10日CCM秘书处发布"以社区为基础的组织或其它非政府组织"类别组CCM成员选举会议通知,到2006年4月27日CCM秘书处召集该类别组选举会议,作为CCM大会授权的类别组选举召集人,中国"以社区为基础的组织或其它非政府组织"类别成员只有

- 17天的时间准备选举相关事宜。
- 7、中国 CCM 在 2006 年 3 月 27 日通过新章程并授权 CCM 秘书处作为中国"以社区为基础的组织或其它非政府组织"类别组召集人之前,我们没有看到 CCM 公开与该类别组成员商讨该类别组 CCM 成员选举方式。
- 8、中国 CCM 在 2006 年 3 月 27 日通过新章程并授权 CCM 秘书处作为中国"以社区为基础的组织或其它非政府组织"类别组召集人后,到 CCM 秘书处 2006 年 4 月 10 日发布该类别组选举会议通知之前,我们没有看到 CCM 秘书处公开与该类别组成员商讨该类别组 CCM 成员的选举方式。
- 9、中国 CCM 在 2006 年 3 月 27 日通过新章程并授权 CCM 秘书处作为中国"以社区为基础的组织或其它非政府组织"类别组召集人,但是过去的这个 CCM 并没有该类别组的代表。
- 10、2006年4月10日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",声明报名截止日期:2006年4月20日,本类别组选举者和被选举者需符合以下条件:在中国合法注册的以社区为基础的组织或其它非政府组织(内部会议上常称为"草根组织")。
- 11、2006 年 4 月 24 日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议通知",称"自 2006 年 4 月 10 日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称 CCM) 秘书处发出"CCM 以社区为基础的组织或其它非政府组织代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业、关心支持中国 CCM 工作的以社区为基础及其他非政府组织的热情响应。截至 4 月 22 日,报名参加本类别组组织有 16 个。"
- 12、2006年4月27日上午9:00在北京召开该类别组选举会议, 获悉有18个组织报名参加了这次会议, 如下:
- 1) 北京佑安医院—爱心家园
- 2) 北京市红丝带之家
- 3) 哈尔滨心相印红丝带志愿者工作组
- 4) 沈阳爱之援助健康咨询服务中心
- 5) 辽宁省鞍山同志社区志愿者工作组
- 6) 成都同乐健康咨询服务中心
- 7) 北京纪安德咨询中心
- 8) 四川省凉山彝族妇女儿童发展中心
- 9) 北京市朝阳区康众卫生教育服务中心
- 10) 陕西省妇女理论婚姻家庭研究会
- 11) 云南生育健康研究会
- 12) 紫贝尔艾滋病社会教育中心
- 13) 日照华科发明技术研究所
- 14) 红树林支持组织
- 15) 北京知爱行信息咨询中心
- 16) 智行基金会
- 17) 中国艾滋病资讯
- 18) 朝阳华人 AIDS 干预工作组
- 13、仅仅根据 CCM 秘书处在不同阶段公布的材料来看,我们看到一些明显的问题:
 - 1) 4月24日发布的选举会议通知上称:截至4月22日,报名参加本类别组选举的组织有16个。但是,4月27日上午参加选举会议时获悉报名参选组织有18个。对参选组织数

目的变化, CCM 秘书处对此没有做出解释。

- 2) 4月10日发布的选举通知上明确报名截止日期是2006年4月20日,但是4月24日发布的选举会议通知上说"截至4月22日,报名参加本类别组组织有16个。"对报名截止日期的变化,CCM秘书处没有做出解释。
- 14、显然,CCM 秘书处对上述变化没有作出公开解释的方式,违反本次选举中的"透明和有记录方式"的要求。
- 15、北京爱知行研究所(正式注册名为:北京知爱行信息咨询中心)2006年4月27日参会代表 多次提出对参会代表的资格进行认证,被拒绝。我们的代表指出一些组织为官方背景,不符合本类别组的性质,应该到其他类别组参选,比如:北京市朝阳区康众卫生教育服务中心;我们的代表提出一些组织没有注册,不符合本次选举会议对参会组织必须是注册组织的规定,比如:哈尔滨心相印红丝带志愿者工作组、辽宁省鞍山同志社区志愿者工作组、朝阳华人 AIDS 干预工作组、红树林支持组织和北京佑安医院一爱心家园。
- 16、2006 年 4 月 10 日发布的该类别组选举会议通知上明确规定:根据 CCM 章程,本类别组选举者和被选举者需符合以下条件:1)在中国合法注册的以社区为基础的组织或其它非政府组织;3)在中国从事艾滋病、结核病和疟疾防控的工作。
- 17、2006 年 4 月 27 日上午 11 点左右,在多次劝说暂缓选举后,与会代表决定选举;在选举开始后,北京爱知行研究所代表宣布退出这个选举,并随后发布公开声明,认为本次选举违反全球基金第九届理事会关于 CCM 组成和产生方式的决议,也违反"中国全球基金项目国家协调委员会"章程、违反"中国全球基金项目国家协调委员会秘书处"发布的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",并认为本次选举存在严重的不透明、不公正、有双重标准,组织者有很多的随意性。
- 18、后来,我们发现了代表身份方面更多的问题,比如:
 - 1) 一些研究组织参加了这个会议,比如:陕西省妇女理论婚姻家庭研究会、云南生育健康研究会、日照华科发明技术研究所;
 - 2) 一些医疗机构开展的感染者关怀项目作为独立组织参加了这次会议,而这些医疗机构也有参加其他类别组选举的,比如佑安医院和地坛医院分别参加了学术和教育类别的选举,其下属的感染者关怀项目北京佑安医院—爱心家园和北京市红丝带之家(地坛医院办)参加了本类别组的选举。
- 19、2006 年 4 月 29 日,北京爱知行研究所万延海等人访问 CCM 秘书处强正富等人,建议重新组织本类别组选举,否则北京爱知行研究所将有意联合草根组织共同组织本类别组选举;2006 年 5 月初,万延海给强正富打电话,被告知 CCM 秘书处和卫生部商量后决定坚持2006 年 4 月 27 日的选举结果。

(本声明如果出现不同于爱知行研究所或万延海以往声明的,以本声明相关立场和证据说明为准。附录文件供参考。)

附录:

- 1、全球基金中国国家协调委员会章程(征求意见稿的修改稿)(全球基金中国国家协调委员会秘书处、2005 年 12 月 22 日)(3TORs)
- 2、中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)(中国全球基金项目国家协调委员会、2006年3月27日通过)(3TORs)
- 3、中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知(中国全球基金项目国家协调委员会秘书、2006 年 4 月 10 日)

(docu-20060503)

- **4、中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议通知**(中国全球基金项目国家协调委员会秘书处、2006 年 4 月 24 日)(docu-20060503)
- 5、关于北京知爱行信息咨询中心(又名北京爱知行研究所)参加 2006 年 4 月 27 日全球基金"中国 CCM 秘书处"(中国 CDC)组织的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议"的立场声明(北京爱知行研究所、2006年 4 月 26 日发布)(docu-20060426)
- 6、北京爱知行研究所退出全球基金中国 CCM 以社区为基础组织类别组代表选举的声明(北京爱知行研究所、2006年4月27日)(docu-20060427)
- 7. Planned methodology for consultant review of China CCM election (Bernard Rivers, Executive Director, Aidspan and Qiu Renzong, Honorary Director, Center for Applied Ethics, Chinese Academy of Social Sciences. 12 July 2006) (planned methodology)

北京爱知行研究所关于 2006 年 4 月 27 日"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议的声明(第二、三篇)

第二篇:中国全球基金项目 CCM 以社区为基础组织或其他非政府组织(简称草根组织)类别组(选区)代表和列席代表选举报告

2006年5月6日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳兰文化传播中心、武汉馨缘工作组工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和天津市血友病联谊会等9个组织共同发出"关于召开全国草根非政府组织全球基金研讨协商会的通知",目的在于组织全球基金中国国家协调委员会中工作于上述三种疾病草根非政府组织代表和列席代表的选举,建立中国草根组织的网络和协商机制。本次会议由组委会委托北京爱知行研究所承办,组委会成员为:陆军、常坤、冰蓝、李喜阁、万延海、王立新,会议召集人为陆军和万延海。

自5月6日起,组委会通过网站、邮件、邮件组、电话、传真等多种方式将会议通知进行了广泛地、开放地发布。截至5月14日下午6时,共有85个组织递交了报名表。组委会共确认了76个组织的参会资格。9个组织的报名资格未得到组委会的确认。

- 5月16日,会议在北京正式召开。70个获得参会资格的组织参加了本次会议。6个获得参 会资格的组织未参加。
- 5月17日,与会代表经过充分的讨论、辩论和民主投票表决确定了选举程序和选举方案,并成立了选举委员会。选举方案如下:正式代表由登记选民直接选举产生,列席代表由工作在艾滋病、结核病、疟疾三种疾病的感染者组织类别、血友病组织类别、同志组织类别和其他类别分别推选或选举出3名代表组成的12人组织代表团推选或选举产生,代表的产生方式则由各类别成员自己决定。选举委员会由常鹏、林风、万延海、孙玉伟、毛岭5人组成。
- 5月18日,60个参会组织递交了选民登记表,经选举委员会确认,这60个组织全部获得了选民资格。8个参会组织递交了候选人登记表。

选举采用两轮选举的方式。在第一轮选举中,每位登记选民在候选人中选举 1 名或 2 名,得 票最高的两名候选人进入第二轮选举。在第二轮选举中,每位登记选民选举 1 名候选人,得票数 超过投票人半数以上的候选人当选,弃权票不计。

公民健康状况与受教育权工作组,天津血友病联谊会,山西省芮城县红十字会基层工作站,

新疆雪莲花艾滋病教研项目组织,河南省宁陵县康乐家 5 位候选人参与了第一轮选举,3 名候选人自愿退出了选举。在第一轮选举中,60 名登记选民全部进行了投票,选举委员会收到有效选票 57 张,得票前两名的新疆雪莲花艾滋病教研项目组织(28 票)和天津血友病联谊会(19 票)进入了第二轮选举。在第二轮选举中,60 名登记选民全部进行了投票,选举委员会收到了有效票 53 张,天津血友病联谊会获得了28 票,新疆雪莲花艾滋病教研项目组织获得了25 票。天津血友病联谊会被选举为正式代表。

正式代表选举结束后,四个类别的参会组织分别推选出了3名代表形成了12人的列席代表团。他们是:(感染者组织类别组)河南省宁陵县康乐家、山西省迎春花小组、河南柘城县艾滋病防治民间促进会;(同志组织类别组)武汉馨缘工作组、彩缘新疆、大连彩虹工作组;(血友病类别组)南京爱之园、安徽省血友病联谊会、山东血友病联谊会;(其他类别组)北京知爱行信息咨询中心、山东菏泽民间弱势群体救助中心、新疆雪莲花艾滋病教研项目组织。

5月19日,正式代表和列席代表团成员经过讨论协商,推选北京知爱行信息咨询中心和 武汉馨缘工作组作为列席代表,河南柘城县艾滋病防治民间促进会、大连彩虹工作组、山东血友 病联谊会和新疆雪莲花艾滋病教研项目组织为各类别组的联络员,新疆雪莲花艾滋病教研项目组 织为总联络员。

第三篇:建议

关于上述 CCM 选举中出现的争执,北京爱知行研究所立场如下:

- 1、全球基金是人类社会国际主义精神的体现。对于中国社会来说,全球基金及其相关 CCM 类别成员选举事务、以及选举争端的处理,是一次难得的学习社会合作和竞争的机会,因此我们愿意保持认真学习的心态,愿意在事实、原则和妥协中前进。
- 2、我们认为 2006 年 4 月 27 日 CCM 秘书处召集的"以社区为基础组织"CCM 成员选举会议及其结果无效。我们希望独立调查员在其调查报告中强调这一点。我们的这一立场获得了 2006 年 5 月 16-20 日全国草根组织全球基金咨询协商会议期间 60 个注册参加 CCM 类别代表选举的组织的支持。
- 3、我们希望独立调查员愿意审视 2006 年 5 月 16-20 日全国草根组织全球基金咨询协商会议期间的 CCM 类别代表选举过程,提出你们对这次选举的意见,并考虑建议 CCM 接受草根组织这次选举会议的结果。
- 4、 我们对一个积极地解决争端的方案, 持开放的态度。我们愿意看到问题获得满意地解决。
- 5、 我们建议,在目前阶段,CCM 大会应该允许草根组织类别组成员根据自行组织的选举、派出代表列席大会。
- 6、我们建议,各级卫生部门和其他政府部门,停止对草根组织和感染者活跃人士的干扰。
- 7、 我们认为,相关争议的解决,应该鼓励中国草根组织类别成员召开协商会议,处理相关问题。
- 8、 我们认为,应该在 CCM 中设置 2 个草根组织正式代表。
- 9、 我们认为,全球基金对 CCM 的基本要求应该得到满足。我们认为, CCM 对外的标准应该是一致的。

Appendix 11: Statement by Wan Yanhai (translation to English)

Statement on the CCM Secretariat convened community based NGO and or other NGO sector election (Part One)

Wan Yanhai Director, Beijing AIZHIXING Institute Friday 14 July 2006

Since independent investigators Bernard Rivers and Prof Qiu Renzong committed at the interview conducted on 12 July, 2006, with Beijing AIZHIXING Institute and other organizations and people that the formal investigation report by the independent investigators will only include written and also can be made public material and that shall make the preliminary report and relevant testimony public next week for the public to provide comments for 2 to 3 weeks so as to ensure that the final report is reliable (using recording as evidence) and since the received document regarding the investigation methodology developed by the independent investigators around noon time on 13 July, 2006, did not include a clear explanation on using the above evidence, yet only vaguely stated that "We invite the parties we interview to submit to us, as soon as possible, in written, any input they wish us to take into consideration regarding any or all of (a) through (e) above. It is possible, but not certain, that we will attach some or all of this input in the form of appendices to our report.", therefore, Beijing AIZHIXING Institute will not provide positive or negative comments on the investigation methodology developed by the independent investigators at the time being. However, at the meanwhile, we urge the independent investigators to make a clear commitment to provide a complete explanatory note to the investigation methodology regarding making the evidence public.

Today, on behalf of Beijing AIZHIXING Institute, I state to Bernard Rivers and Qiu Renzong that Beijing AIZHIXING Institute believes that China CCM Secretariat, as the convener organized community based organizations and other NGO sector election is invalid,. Evidence is as following:

- 1. The concept of community based NGO or other NGOs stated in the trial Terms of Reference (TOR) passed by China CCM of the Global Fund on March 27, 2006 and in the community based organizations and other NGO sector election organized by China CCM Secretariat, as the convener on April 27, 2006 was the same as the concept of Grassroot NGOs in the TOR of China CCM (version for comments and the revised version for comments, December 22, 2005 China CCM Secretariat) and as the "grass root NGOs" used by CCM Secretariat Qiang Zhengfu at the sector election meeting on 27 April, 2006.
- 2. The Global Fund requested Global Fund Secretariat to sign the grant agreements with it before 30 September, 2006 on the approved Round 5 programmes. The Global Fund Secretariat recommended China to sign the agreement before 1 July, 2006. China wanted to complete the election of CCM members before the end of April, 2006 so that the grant

agreement could be signed during the 13th plenary of the Global Fund Board meeting at the end of April.

- 3. Resolutions passed by the 9th plenary of the Global Fund Board stipulates that the member representing non government sector must be selected or elected by the relevant sector that the member belonging to through the procedures developed by the sectors themselves and through a transparent and documented process and that whether the CCM followed these requirements or not will determine the eligibility for the application of round 5 proposals and for the disbursement of grants for the phase two of projects.
- 4. Based on the above reasons, it would have half a year to finish the CCM sector membership election, however, an amount of 3 months was reduced for the election due to the Global Fund Secretariat's wish to speed up the signing process, and then an amount of two months was reduced purposely by China side.
- 5. From the passing of the trial TOR of China CCM on March 27, 2006 to the announcement of the community based organizations or other NGOs sector election of members to the CCM by CCM Secretariat on April 10, 2006, CCM Secretariat did not inform the voters in this sector election information. The amount of time was purposely reduced by another 2 weeks.
- There was only 17 days to prepare election related matters between announcing the
 notice by CCM Secretariat 10 April, 2006 regarding the community based organizations or
 other NGOs sector election and the sector election meeting held on 27 April, 2006,
 convened by CCM Secretariat.
- 7. Before China CCM passed the trial TOR on March 27, 2006 and authorized the CCM Secretariat to be the convener of the community based organizations or other NGOs sector election, we did not see the CCM held public consultations with the sector members on the election methodology to elect members from this sector to the CCM.
- 8. After China CCM passed the trial TOR on March 27, 2006 and authorized the CCM Secretariat to be the convener of the community based organizations or other NGOs sector election, and before the CCM Secretariat announcing the election notice of this sector on April 10, 2006, we did not see the CCM Secretariat held public consultations with the sector members on the election methodology to elect members from this sector to the CCM.
- China CCM passed the trial TOR on March 27, 2006 and authorized the CCM Secretariat
 to be the convener of the community-based organizations or other NGOs sector election,
 but, there were no members from this sector in the former CCM.
- On April 10, 2006, CCM Secretariat announced the notice on the community based organizations or other NGOs sector election and stated that the deadline to register to

take part in the election was April 20, 2006 and that the voters and candidates in this sector should meet the following criteria: Legally registered community based organizations or other NGOs (at the internal meeting, referred to as grass root organizations) in China.

- 11. On April 24, 2006, CCM Secretariat announced the election meeting notice regarding the community based organizations or other NGOs sector election, stated that since announcing the notice on the community based organizations or other NGOs sector election, active responses were received from the community based organizations or other NGOs who were actively involved in the cause of fighting against AIDS, TB and Malaria, and who were interested in and supported the work of CCM. As of the deadline of April 22, 2006 for registration, a number of 16 organizations in this sector registered.
- 12. At 9:00 am on April 27, 2006 at the sector election meeting, we got to know 18 organizations participated in the meeting. These organizations were:
 - 1) Home of Loving Care Beijing You An Hospital
 - 2) Home of Beijing Red Ribbon Centre
 - 3) Xiang Yin Red Ribbon Volunteers Working Group-Haerbin
 - 4) Ai Zhi Yuan Zhu Support and Health Consultation Service Centre-Shen Yang
 - 5) Anshan MSM Community Volunteer Working Group-Liaoning
 - 6) Chengdu Tong Le Health Consultation Service Centre
 - 7) Beijing Gender Consultation Centre
 - 8) Liangshan Yi Minority Women and Children Development Centre-Sichuan
 - 9) Beijing Chaoyang District Kangzhong Health Education Service Centre
 - 10) Shanxi Women's Theory, Marriage and Family Research Society
 - 11) Yunnan Reproduction Health Research Society
 - 12) Zibeier AIDS Social Education Centre
 - 13) Rizhao Huake Invention Technology Research Institute
 - 14) Beijing Mangrove Support Group
 - 15) Beijing Zhiaixing Information and Consultation Centre (Beijing Aizhixing Institute)
 - 16) Chi Heng Foundation
 - 17) China AIDS Info
 - 18) Chaoyang Chinese AIDS Intervention Group
- 13. Just through the material announced by the CCM Secretariat at different stages, we can see clearly some problems:
 - The election meeting announcement made on April 24 stated that as of April 22, 16 organizations registered to take part in the sector election, but in the morning of April 27, we got to know a number of 18 organizations attended the election meeting while attending the meeting. There was no explanation from the CCM Secretariat on the change of the numbers of the organizations attending the meeting.
 - 2) The election notice publicized on April 10 stated that the deadline for registration was April 20, 2006, while in the election meeting notice announced on April 24, stated that as of the deadline of April 22, 16 organizations registered. There was no explanation

from the CCM Secretariat on the change of the deadline for registration.

- 14. It is obvious, that CCM Secretariat did not openly explain the above changes which violates the requirement for transparent and documented for the election.
- 15. Beijing AIZHIXING Institute (formally registered as Beijing ZHIAIXING Information and Consultation Centre) proposed several times to check the eligibility of the participants on April 27, 2006, but was refused. Our representative pointed out that some of the organizations had ties with the government, therefore did not meet the nature of this sector, and should join other sectors' election, such as Beijing Chaoyang District Kangzhong Health Education Service Centre. Our representative pointed out that some of the organizations did not register with the government, therefore, did not meet the criteria of only registered organizations can participate in the election meeting to take part in the election, such as Xiang Yin Red Ribbon Volunteers Working Group-Haerbin, Anshan MSM Community Volunteer Working Group-Liaoning, Chaoyang Chinese AIDS Intervention Group, Beijing Mangrove Support Group, and Home of Loving Care Beijing You An Hospital.
- 16. The election notice publicized on April 10, 2006 specified clearly that according to the CCM TOR, voters and candidates in this sector should meet following criteria: 1) legally registered in China community based organizations or other NGOs and work in the areas of AIDS, TB and Malaria.
- 17. Around 11 clock on April 27, 2006, after our persuasions to postpone the election for several times, the participants at the meeting decided to conduct the election. After the election, the representative from Beijing AIZHIXING Institute announced withdrawing the election and followed by a public statement, saying that the election violates the resolution of the 9th Global Fund Board Resolution, and also violates China CCM TOR, violates the CCM Secretariat notice on this sector's election, and believed the elections had serious problems with regard to the transparency, non public and with double standard and random treatment by the organizer.
- 18. Later, we found more problems with the identity of the voters and candidates: Some research institutes attended the meeting, such as Shanxi Women's Theory, Marriage and Family Research Society, Yunnan Reproduction Health Research Society, and Rizhao Huake Invention Technology Research Institute.

Some medical institutes projects on care for PLWHA as an independent organizations participated in the meeting, and some of these medical institutes also took part in the other sectors' election, such as You An Hospital and Di Tan Hospital participated in the academic and education sectors' election, while AIDS Care Project-Home of Loving Care-You An Hospital and Home of Red Ribbon Centre-Di Tan Hospital took part in this sector's election.

19. On April 29, 2006, Wan Yanhai from Beijing AIZHIXING Institute met Qiang Zhengfu and others of the CCM Secretariat, proposing to reorganize this sector's election, otherwise, Beijing AIZHIXING Institute will have the intention to organize this sector's election together

with grass root organizations. Early May, Wan Yanhai phoned Qiang Zhengfu and was informed that after consultation between MOH and CCM Secretariat, both decided to insist on the results of the election conducted on April 27, 2006.

Part II shall analysis the national grass root organizations and the Global Fund consultation meeting held during 16-20 May, 2006.

Part III shall propose recommendations to solve the problems.

(If this statement is different from previous statements by Beijing AIZHIXING Institute or by Wan Yanhai, the positions and evidence explanations stated in this statement shall be the valid ones.)

Attachments:

- 1) CCM TOR (version for comments and the revised version for comments), (China CCM Secretariat, December 22, 2006), (3TORs)
- 2) CCM TOR trial version (China CCM, passed on March 27, 2006), (3TORs)
- 3) Notice on the community based organizations or other NGOs sector election of members to the CCM (China CCM Secretariat, April 10, 2006), (Docu-20060503)
- Notice on the election meeting of the community based organizations or other NGOs sector election of members to the CCM (China CCM Secretariat, April 24, 2006), ((Docu-20060503)
- 5) Position statement regarding Beijing AIZHIXING Institute (or named as Beijing ZHIAIXING Information and Consultation Centre) participation in the election meeting of the community based organizations or other NGOs sector election of members to the CCM held on April 27, 2006 (Beijing AIZHIXIN Institute, published April 26, 2006), (Docu-20060426)
- 6) Beijing AIZHIXING Institute statement on the withdrawing from the election of the community based organizations or other NGOs sector election of members to the CCM (Beijing AIZHIXIN Institute, April 27, 2006), (Docu-20060427)
- 7) Planned methodology for consultation review of China CCM election (Bernard Rivers and Qiu Renzong)

Beijing AIZHIXING Institute statement on the election of the community based organizations or other NGOs sector election of members to the CCM organized by China CCM Secretariat as the convener (Part II and Part III)

Part II: Report on the election of a representative and alternates to the CCM of the community-based organizations or other NGOs (in short called grass root NGO) sector election

6 May 2006, 9 organizations, such as the Chinese Gay Culture and Education Centre, Xinjiang Snowlotus AIDS Education and Research Project Organization, Beijing Dongzhen Nanan Culture Communication Centre, Wuhan Xinyuan Working Group, Beijing AIZHIXING Institute

(Beijing AIZHIXING Information Consultation Centre), National Working Committee for AIDS Victims through Blood Transfusion, Civil Society Health Status and Right to Education Working Group, Henan Ningling Kang Le Jia and Tianjin Hemophilia Society jointly announced the notice for the meeting on National grass root NGOs Global Fund workshop with the aim of organizing the election of a representative and alternates to the CCM from the grass root organizations working in the area of the three diseases, of establishing Chinese network and consultation mechanism of the grass root organizations. Beijing AIZHIXING Institute, who was entrusted to do so by the organizing committee composed of Lu Jun, Chang Kun, Lan Bin, Li Xige, Wan Yanhai, Wang Lixin conducted the meeting. The conveners of the meeting were Lu Jun and Wan Yanhai.

Starting from 6 May, the organizing committee announced the meeting notice widely and openly through Internet, emails, mails, telephone and fax, and various channels. As of 18:00pm on May 14, 85 organizations submitted registration forms. The organizing committee confirmed 76 organizations met the criteria to attend the meeting. The organizing committee did not confirm the eligibility of 9 applicants. May 16, the meeting was formally conducted in Beijing. 70 organization who met the criteria attended the meeting, 6 organizations did not attend, yet met the criteria.

May 17, election procedures and election plan were determined through sufficient discussions, debate and democratic voting. Election Committee was also set up. The election plan was as following: the representative would be elected by the registered voters through direct voting; The sector of infected people's organizations working on AIDS, TB and Malaria, the sector of hemophilia organizations, the sector of MSM and other sectors would nominate or elect 3 representative to represent its own sector. The 12 sector representatives would nominate or elect the alternates to the China CCM. Each sector members determined the method to select their own representative. The Election Committee was composed of Chang Peng, Lin Feng, Wan Yanhai, Sun Yuwei and Mao Ling.

May 18, 60 organization that attended the meeting submitted voters' registration form. Confirmed by the Election Committee, these 60 organizations all obtained the eligibility to voters. 8 organizations attending the meeting submitted candidates' registration form.

Two-round elections were the election method. In the first round election, each registered voters voted for one or 2 candidates, the top two candidates became the candidates for the second round election. In the second round election, each registered voters voted for one candidate. The candidate whose votes exceeded half of the number of voters would be one elected, the abandoned votes were not counted.

The five candidates, such as Civil Society Health Status and Right to Education Working Group, Tianjin Hemophilia Society, Shanxi Ri Cheng Red Cross Grass Root Working Station, Xinjiang Snowlotus AIDS Education and Research Project Organization, and Henan Ningling Kang Le Jia took part in the first round election, and three candidates withdrew from the election. In the first round election, the 60 registered voters cast votes, and the Election

Committee received 57 valid votes. The top two organizations: Xinjiang Snowlotus AIDS Education and Research Project Organization (28 votes) and Tianjin Hemophilia Society (19 votes) entered in the second round election, in which, the 60 registered voters cast votes, and the Election Committee received 53 valid votes. Tianjin Hemophilia Society won 28 votes and Xinjiang Snowlotus AIDS Education and Research Project Organization won 25 votes. Tianjin Hemophilia Society was elected as the representative to the CCM.

After the election of representative completed, the four sector organizations attending the meeting elected three representative of their own sectors, who formed the alternative delegation of 12 representatives. They were: (infected people sector) Henan Ningling Kang Le Jia, Shanxi Ying Chun Hua Group, Henan Zhecheng AIDS Prevention Promotion Society; (MSM sector): Wuhan Xinyuan Working Group, Xinjiang Caiyuan, Dalian Rainbow Working Group; (Hemophilia sector): Nanjing Ai Zhi Yuan, Anhui Hemophilia Society, and Shandong Hemophilia Society; (other sectors): Beijing ZHIAIXING Information and Consultation Centre, Shandong Heze Civil Vulnerable Group Aid Centre, and Xinjiang Snowlotus AIDS Education and Research Project Organization.

May 19, the formal representative and the delegation nominated and elected Beijing ZHIAIXING Information and Consultation Centre and Wuhan Xinyuan Working Group as the alternates. Henan Zhecheng AIDS Prevention Promotion Society, Dalian Rainbow Working Group, Shandong Hamaephomia Society and Xinjiang Snowlotus AIDS Education and Research Project Organization were the focal points for their respective sectors. Xinjiang Snowlotus AIDS Education and Research Project Organization was the key focal point of all the focal points

Part III: Recommendations

Regarding the above disputes about the CCM election, Beijing AIZHIXING Institute's positions are as following:

- The Global Fund represents the international spirit of human society. As for China, matters related to the Global Fund and the sector elections of the CCM and handling of the election disputes was a valuable opportunity to learn how to cooperate and compete with each other, therefore, we are willing to keep the spirit of learning, and to move forward based on facts, principles and compromise.
- 2. We think that CCM Secretariat convened community based organizations to the CCM election meeting and the result of the meeting invalid. We hope that the independent investigators would stress this point in their investigation report. This position was supported by the 60 registered organizations that attended the CCM sector election during the May 16-20 national grass root organization global fund consultation meeting.
- 3. We hope that the independent investigators would review the election process of the

CCM sector election during the May 16-20 national grass root organization global fund consultation meeting, and provide comments on the election and consider suggesting CCM accepting the result of the election meeting of the grass root organizations.

- 4. We are open to positive proposals to solve the disputes. We wish that the problem would be solved satisfactorily.
- 5. We think that at the moment, CCM plenary meeting should allow grass root sector members to send its representative to attend the plenary meeting based on the sector-organized election.
- We propose that health departments at all levels, and other government departments, stops the interfering with the grass root organizations and the activists of the infected people.
- 7. We think that with respect to solving the related disputes, Chinese grass root organization sector member should be encouraged to conduct consultation meetings and to handle related issues.
- 8. We think CCM should have two representatives from the grass root organizations.
- 9. We think that the basic requirements on CCM from the Global Fund should be met and that the external criteria of the CCM should be the same.

Appendix 12: Statement by Thomas Cai (in Chinese and English)

Note by the authors of this Review: In the PLWHA election conducted in May with the CCM Secretariat as convener, Thomas Cai was selected as the CCM member.

Statement regarding the China CCM election

(a) How the elections were conducted.

CCM 秘书处举行的 CCM 的 NGO/感染者社区代表的选举是基于各地组织/个人自愿报名以及相关组织机构的提名的基础上举行的。

The election conducted by CCM secretary was based on the nomination from different organizations working on HIV/AIDS and self-registration from community members around China.

(b) Strengths and weaknesses of the election process convened by CCM Secretariat.

CCM 秘书处举行的选举其优势在于:

- 1) 具有比较广泛的代表性。
- **2)** 个组织及机构的提名不但扩大了覆盖面而且能邀请在艾滋病领域中具有代表性及能力的组织/**个人的参与**。
- 3) 选举本身没有倾向性,相对公平和透明。

The strength of the elections:

- 1) The CCM organized election had a wider representation.
- Nomination from agencies and organizations not only expanded the geographic coverage, but also were able to invite organizations and individuals working in the area of HIV/AIDS with good representation and capacity.
- 3) The election didn't have any bias and was relatively fair and transparent.

CCM 秘书处举行的选举的缺陷主要有:

- 1) 选举的日程安排比较仓促。
- 2) 选举程序的制定没有很好的准备时间。

The weakness of the elections:

- 1) Did not have sufficient time to arrange the election timetable.
- 2) Did not have enough preparation in the development of the election procedures.
- (c) Extent to which the elections process was transparent, documented and developed within the sector.

我认为 CCM 秘书处举行的选举是透明的,而且有记录可查,并且有邀请社区及各组织的代表参与程序的制定。

I believe that the CCM organized election was transparent and documented and community and people from different organizations were invited to develop the election procedures.

(d) Recommendations as to appropriate next steps by the CCM and by the parties involved in the disputed election.

中国的全球基金项目需要稳定和建设性的环境,CCM 秘书处的选举结果应该得到承认;全球基金项目在中国存在的问题需要有一个建设性的协调机制来解决:NGO 以及社区的代表不是政党,而是代表某一群体来寻求解决问题的最佳途径。因此 NGO 和社区的代表应该具备相应的能力和正确的立场和理念来实现这一目标。批判不是一个合适的方法。

China's GF project needs stable and supportive/constructive environment. The outcome of CCM Secretariat organized election should be recognized. To solve the problems existed in the China GF projects, there is a need to have a constructive coordination mechanism. NGO and community organizations are parties, rather they represent a group of people to explore the best options to solve problems. Therefore, NGO and community representatives should have relevant capacity and the correct position and ideas to achieve this objective. Criticism is not an appropriate approach.

(e) Recommendations as to what changes (if any) should be made to the CCM TOR and/or to the procedures to be followed in future CCM elections.

对于 CCM 成员的 TOR 不需要改变,但是面对未来的类似选举,应该邀请各国际机构组织以及 UN 的人员参与程序的设计,并作为观察员督导整个选举过程;否则任何人/组织的异议在没有一个良好评判标准和制度的情况下提出,将使整个程序进入恶性循环的过程;不利于全球基金项目的进行。更多的资源将被浪费于这种无休止的摩擦中。

I don't think there is the need to change the TOR for CCM. With respect to the future similar elections, there is the need to invite international agencies and UN staff to participate in the development of the procedures and to invite them as observers to oversight the whole election process, otherwise, any doubts raised by anyone or any organizations in an environment where there were no good criteria and system for judgement will lead the election process into a vicious cycle. This is not good for the implementation of the GF projects. More resources would be wasted on the disputes, which would be endless.

Appendix 13: Statement by Shen Jieyong, on behalf of 76 PLWHA (Chinese)

就 CCM 秘书处组织的感染者类别选举出现的问题致特别调查组

尊敬的 Bernard Rivers、邱仁宗先生:

我们认为 CCM 秘书处组织的感染者类别选举无效,理由如下:

- 1、根据全球基金的精神,感染者类别的选举应该由感染者自己组织并制定选举程序和选举方式来选择自己类别的代表,我们注意到 CCM 秘书处主导了本次选举的所有活动,我们认为这是不合理的。
- 2、CCM 秘书处对本次选举信息发布时间紧,又只在网上发布,存在弊端,因为感染者大多数生活在农村,绝大多数都不使用互联网,我们认为他们无法通过互联网获得相关信息。
- 3、本次选举没有发布选举时间和选举的程序,并且没有将选举时间和选举的程序对外发布。
- 4、本次 CCM 秘书处组织的选举没有进行选民资格确认。据我们了解,CCM 秘书处确认并公布的选民朱龙伟、范警民都不是艾滋病感染者。我们认为 CCM 秘书处对艾滋病感染者的身份确认很容易做到,因为各地的艾滋病感染者在当地的 CDC 都有登记,CCM 秘书处通过各地的 CDC 很容易确认艾滋病感染者的身份; CCM 秘书处确认并公布的选民彩虹是作为结核病类别的选民,而据我们了解他不是结核病的感染者,我们认为对一个结核病感染者的身份确认也是非常容易的。
- 5、截止到 4 月 22 号,参加 ccm 成员选举的报名人数为 115 位 (据 ccm 秘书处 4 月 26 日公布), 也就是说这 115 位感染者都有选举权与被选举权,候选人的产生应由这 115 人感染者自己决定。
- 6、CCM 秘书处利用电话录音和传真投票,我们认为这两种投票方式都是不合理的。
- 7、CCM 秘书处用电话征集选票时没有告之选民应该如何投票,这就导致了有很多投票都成了废票;
- 8、本次选举中的选民和候选人没有进行充分的沟通和交流,选民对候选人不是很了解。我们认为在这种情况下产生的代表并不能真正代表感染者。
- 9、本次选举的时间非常仓促,有很多选民在投票的时候还没有收到候选人的介绍资料(比如湖北省南漳县7名选民);本次选举结束以后,河南遂平县有部分感染者没有收到选票。

建议

2006年9月1日-10月31日期间,中国CCM需要完成下列工作:

- 1、要求 CCM 秘书处与中国疾病预防控制中心协商,通知全国各省(直辖市、自治区)、市、县疾病预防控制中心,对辖区内三种疾病感染者开展一次全天培训班,介绍全球基金、CCM、全球基金中国艾滋病项目、结核病项目和疟疾项目及其执行情况;会议通知需要广泛发布给辖区内三种疾病感染者、非政府组织;会议需要介绍中国 ccm 改革及选举中出现的争议情况,让广大感染者朋友进行商议,探讨解决问题的方式;
- 2、要求 CCM 秘书处与中国各地在感染者中工作的非政府组织配合,鼓励和支持非政府组织对三种疾病感染者进行一次关于全球基金的信息介绍活动;
- 3、要求 CCM 秘书处准备一套详尽的信息材料,提供各地卫生部门和非政府组织开展活动用;

- 4、 要求 CCM 秘书处,与各地的感染者们商讨感染者类别选举的方案,推动类别成员制定 CCM 成员选举方案,提出重新选举的时间表;
- 5、CCM 成员选举需要依据全球基金关于透明、有记录、类别成员自行组织选举、依照类别成员自己制定的选举方案,组织一个选举委员会,独立组织选举活动;
- 6、CCM 秘书处协助选举委员会,组织选举相关的筹款活动。

76 名选民代表: 申洁勇

2006年7月13日

解释:

申洁勇:身份证号为420*************,是5月30日代表76名选民的十名代表的委托代表。

Appendix 14: Statement by Shen Jieyong, on behalf of 76 PLWHA (translation to English)

To the review team of the PLWHA sector election to China CCM

In our view, the PLWHA sector election organized by the CCM Secretariat is invalid. Our reasons are as following:

- According to the spirit of the Global Fund, PLWHA sector election should be organized by PLWHA. Procedures and methods of the election should be developed by the PLWHA to elect its own representatives. We noticed that the Secretariat led all the activities of this election. We don't think this is appropriate.
- 2. The CCM Secretariat announcement the election in a short notice and only through Internet. Since majority of the PLWHA were in the rural areas, and did not have access to Internet. Therefore, we don't think they could get relevant information through Internet.
- 3. There was no announcement regarding the time and procedures of the election and there was no public notice regarding the time and procedures of the election.
- 4. The CCM Secretariat organized election did not check the eligibility of voters. As far as we know, the CCM Secretariat confirmed voters, both Zhu Longwei and Fan Jingmin were not PLWHA. We think it was easy to check if the voters were PLWHA or not, because all the PLWHA were registered at local CDC, it was easy for CCM Secretariat to check this through local CDC; We also know that CCM Secretariat confirmed and announced voter, Cai Hong was not a TB carrier, who applied to take part in the election in the TB sector election. We think it was easy to check if a person was or was not a TB carrier.
- 5. As of April 22, the number of people applied to take part in the election was 115 (as announced by the Secretariat on April 26), so all of these 115 people had to the right to vote and to be elected, and candidates would be elected from the 115 people by the 115 people themselves.
- 6. The CCM Secretariat conducted the voting through recorded phone calls and through fax, we do not think both of these voting methods are appropriate.
- The CCM Secretariat did not inform the voters how to vote when they soliciting voting through phone calls, resulted in many votes becoming invalid.
- 8. There was not sufficient communication and information sharing between the voters and candidates. Voters did know the candidates enough. We don't think representatives elected in such context can truly represent people living with AIDS, TB and Malaria.
- 9. The election was conducted in a short time, many voters did not receive the briefing about the candidates at the time of voting, for instance, the 7 voters in Nan Zhang county, Hubei province. Some PLWHA did not receive the voting sheet even after the election had finished.

Recommendations:

Between 1 September to 31 October, 2006, China CCM should complete following work:

- 1. Requests CCM Secretariat and the Chinese CDC to consult between themselves, and to inform CDC at provinces (municipalities, and autonomous regions), cities and counties to conduct one day training for people living with AIDS, TB and malaria in their respective administration. Briefing on the Global Fund, the CCM and the Global Fund China projects on AIDS, TB and malaria, including implementation of these projects should be provided at the training session. The notice on the training should be sent out widely to the people living with AIDS, TB and malaria and NGOs in their respective administration. The training should also introduce the reform of China CCM and the disputes regarding the elections so as to let the people living with these three diseases to discuss and explore solutions.
- Request CCM Secretariat to cooperate with the NGOs in all parts of China working for these groups of people and to encourage and support these NGOs to conduct briefing activities to introduce the Global Fund to people living with the three diseases.
- 3. Request CCM Secretariat to prepare a detailed briefing material to be provided to the health departments and NGOs at local level for their activities.
- 4. Request CCM Secretariat to discuss election methods of PLWHA sector with people living with these three diseases all over China and to promote the members of this sector to develop CCM election plan and to set up the election timetable.
- Election of CCM members should follow the Global Fund principle of transparency, documented and sector-organized election. An election committee should be established based on the election plan developed by the sector members and the Committee shall organize election activities independently.
- 6. CCM should facilitate the election committee to organize fund raising activities for the election related activities.

Shen Jieyong, on behalf of the 76 voters 13 July, 2006

Note: Shen Jieyong, citizen no.: 420624710212133, an entrusted representative of the 10 representatives of the 76 voters

Appendix 15: Statement by Jia Ping (in English and Chinese)

Note by the authors of this Review: In the CBO/NGO elections conducted in late April with the CCM Secretariat as convener, Jia Ping was selected as the CCM member.

Statement regarding the China CCM election

 I joined the election because I learned about the CCM Secretary's call for joining the election through CHAIN's staff and Dr. Wan's Mail listsery.

我参加了(4月27日)的选举,我丛 CHAIN 的一个员工那里以及万延海的邮件组中得到了关于 CCM 秘书处号召参加选举的通知;

- During the election, NGOs who joined the election discussed about the procedure, whether the election should be held, how to vote. The organizations who joined the election decided:
 - (a) To elect a temporary representative, and after six months to one year to initiate the process of new election of CCM representative – just to avoid the drastic debate on whether the election should keep going on and to promote CCM reformation keep going on.
 - (b) The election procedure was in several parts. The first part was just to elect the top four candidates. Then the candidates gave a speech on their work agenda after being elected as representative. Then all members who joined the election voted to elect a Representative from among them, and two Alternates – according to the number votes.
 - (c) Some people said that they did not want be the Representative including Guo Ya Qi from Gender institute.
 - (d) The CCM Secretary did not control the election, the election was done by the NGOs include the counting of the number of votes.

在选举过程中,参加选举的非政府组织就选举程序,是否应该进行选举,如何投票等问题进行了讨论。参加选举的组织最后一致决定:

- (a) 选举出一个过渡期的临时代表,在确认选举结果后半年到一年的时间发起新的选举—— 这是为了避免当时 CCM 会议上激烈进行的关于选举是否要继续进行的争辩。
- (b) 选举程序分为几个步骤。第一步选出头四名的票最高的候选人,然后这些候选人分别就当选代表后的工作规划做一个演讲。然后所有的与会成员在他们中投票选出代表以及副代表——根据投票数目高低。
- (c) 一些与会成员说他们不想当选为代表——包括纪安德的郭雅奇。
- (d) CCM 秘书处没有操控选举,选举本身是 NGO 完成的,包括唱票工作。

The organizations who joined the election did not include Gongos or government sectors.
 The health for all and The Red ribbon are all civil affairs department registered organizations.

参加选举的组织中没有政府 NGO. 康众和红丝带之家是民政登记的组织。

4. Dr. Wan's attack is contradictory – he first attacked the election as being illegal if the CCM did not revise the charter; then he attacked the election's procedure as being illegal after the election; then he said the elected representative was imposed by the Chinese government.

万大夫的攻击是自相矛盾的——他首先攻击选举不合法,因为 CCM 不愿修改章程;然后攻击说选举程序本身不合法;进而攻击当选代表为中国政府所安插。

<u>Appendix 16: CCM Secretariat Briefing on CBO/NGO Sector</u> <u>Member Selection (English)</u>

- On April 10, 2006, CCM Secretariat released the notice of CCM member selection in CBO/NGO sector, and requested those who want to participate to signing up. This notice was sent to all CBOs and NGOs that the communicate detail was available for CCM secretariat, and also published on China Global Fund website.
- 2. Up to the deadline of April 22, there are following 18 organizations signing up:
 - 1) Home of Love Caring, Beijing You'an Hospital
 - 2) Beijing Home of Red Ribbon
 - 3) Ha'erbin Xinxiangyin Red Ribbon Volunteers' Working Team
 - 4) Ai Zhi Yuan Zhu Center for Health and Education
 - 5) Volunteers' Working Team for Homosexual Community in Anshan
 - 6) Chengdu Gay Community Care Organization
 - 7) Beijing Gender Health Education Institute (BGHEI)
 - 8) Center for the Development of Liang Shan Yi Women and Children
 - 9) China HIV/AIDS Information Network Chain
 - 10) Shaanxi Research Association for Women and Family
 - 11) Yunnan Reproductive Health Research Association
 - 12) Zibir AIDS Social Education Center
 - 13) Ri Zhao Hua Ke Invention and Research Institute
 - 14) Mangrove Support Program
 - 15) Beijing AIZHIXING Institute of Health Education
 - 16) Chi Heng Foundation, HK, China
 - 17) China AIDS Info
 - 18) Chaoyang Chinese AIDS Volunteer Group
- 3. On April 27, 2006, Community Based Organizations or other NGOs member selection meeting was held in Beijing. 14 of the 18 organizations sent representatives attending the meeting. Ha'erbin Xinxiangyin Red Ribbon Volunteers' Working Team, Shaanxi Research Association for Women and Family, Yunnan Reproductive Health Research Association and Chi Heng Foundation, HK, China did not attend the meeting.

The topics of this meeting are:

- 1) CCM Secretariat brief China Global Fund programs and new TORs.
- 2) Sector Group Members discuss and choose member selection procedure.
- 3) Select one CCM member and two extra persons.

The attendees decided to select CCM members and two extra persons by secret ballot. Before the selection, Beijing AIZHIXING Institute of Health Education declared to withdraw and left the meeting room later.

After three rounds of secret ballots, Ai Zhi Yuan Zhu Center for Health and Education was selected as CCM member. Center for the Development of Liang Shan Yi Women and Children and Beijing Home of Red Ribbon were selected as CCM extra persons.

The detailed selection process was as follows:

• Round 1 secret ballot was to nominate CCM member and CCM extra person. Top 4 organizations nominated as CCM members are: *Ai Zhi Yuan Zhu*

Center for Health and Education (3 votes), Beijing Home of Red Ribbon (2 votes), Chengdu Gay Community Care Organization (2 votes) and Beijing Gender Health Education Institute (2 votes). Top 5 organizations got the vote "CCM member + extra person" are: Ai Zhi Yuan Zhu Center for Health and Education (8 votes), Beijing Gender Health Education Institute (7 votes), Beijing Home of Red Ribbon (6 votes), Center for the Development of Liang Shan Yi Women and Children (5 votes) and China AIDS Info (4).

- •Round 2 secret ballot was to select CCM member. The candidates were 4 organizations won in Round 1 vote: Ai Zhi Yuan Zhu Center for Health and Education, Beijing Home of Red Ribbon, Chengdu Gay Community Care Organization and Beijing Gender Health Education Institute. The candidates presented themselves and Ai Zhi Yuan Zhu Center for Health and Education won with 5 votes.
- •Round 3 secret ballot was to choose CCM extra persons. The candidates were those 5 organizations with high "CCM member + extra person" votes in Round 1. As Ai Zhi Yuan Zhu Center for Health and Education had already been selected as CCM member, other four organizations became the candidates. Center for the Development of Liang Shan Yi Women and Children and Beijing Home of Red Ribbon were selected as CCM extra persons.

It is clear that suggestions and opinions were solicited from all members before and during the selection. The selection process was developed by sector group members.

<u>Appendix 17: CCM Secretariat Briefing on CBO/NGO Sector</u> <u>Member Selection (Chinese)</u>

一、 以社区为基础的组织或其它非政府组织类别组 CCM 代表选举过程介绍

- 1. 2006 年 4 月 10 日, CCM 秘书处发出选举通知,征求有意参加本类别组的以社区为基础的组织或其他非政府组织报名。此通知也在中国全球基金网站上作为重要公告公布。
 - 2. 到 4 月 22 日报名截至日止, 共有下列 18 个组织报名:
 - 1) 北京佑安医院一爱心家园
 - 2) 北京市红丝带之家
 - 3) 哈尔滨心相印红丝带志愿者工作组
 - 4) 沈阳爱之援助健康咨询服务中心
 - 5) 辽宁省鞍山同志社区志愿者工作组
 - 6) 成都同乐健康咨询服务中心
 - 7) 北京纪安德咨询中心
 - 8) 四川省凉山彝族妇女儿童发展中心
 - 9) 北京市朝阳区康众卫生教育服务中心
 - 10) 陕西省妇女理论婚姻家庭研究会
 - 11) 云南生育健康研究会
 - 12) 紫贝尔艾滋病社会教育中心
 - 13) 日照华科发明技术研究所
 - 14) 红树林支持组织
 - 15) 北京知爱行信息咨询中心
 - 16) 智行基金会
 - 17) 中国艾滋病资讯
 - 18) 朝阳华人 AIDS 干预工作组
- 3. 2006 年 4 月 27 日,"以社区为基础的组织或其它非政府组织"类别组会议在北京召开,上述 18 个报名的组织中有 14 个派代表参加了会议。哈尔滨心相印红丝带志愿者工作组、陕西省妇女理论婚姻家庭研究会、云南生育健康研究会和智行基金会未能参会。

会议的主要议题有:

- 1) CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2) 本类别组成员自己讨论确定本类别组 CCM 成员选举方式;
- 3) 选举本类别组 1 名正式 CCM 成员、2 名参会代表。

参会代表经过热烈讨论,决定通过无记名投票选举方式选举本类别组代表。

选举前,北京知爱行信息咨询中心提出不参加选举,随后退出会场。

经过3轮不记名投票,选举"沈阳爱之援助健康咨询服务中心"为本类别组 CCM 成员,另外选举"四川省凉山彝族妇女儿童发展中心"和"北京市红丝带之家"为 CCM 参会代表。

选举过程如下:

第一轮投票题名 CCM 成员和参会代表。被题名 "CCM 成员"得票数前 4 位的组织分别是:沈阳爱之援助健康咨询服务中心(3)、北京市红丝带之家(2)、成都同乐健康咨询服务中心(2)、北京纪安德咨询中心(2)。被题名 "CCM 成员"和 "CCM 参会代表"合计得票数

前 5 位的组织分别是: 沈阳爱之援助健康咨询服务中心(8)、北京纪安德咨询中心(7)、北京市红丝带之家(6)、四川省凉山彝族妇女儿童发展中心(5)、中国艾滋病资讯(4)

第二轮投票,选举 CCM 成员。第一轮题名得票前 4 名的组织: 沈阳爱之援助健康咨询服务中心、北京市红丝带之家、成都同乐健康咨询服务中心、北京纪安德咨询中心为候选者。上述四个组织分别做了竞选陈述,然后举行第二轮投票,沈阳爱之援助健康咨询服务中心以最高票 5 票当选本类别组 CCM 成员。

第三轮投票,选举 CCM 参会代表。在第一轮投票中合计票数前 5 位的组织为候选者。 因沈阳爱之援助健康咨询服务中心在第二轮投票中已被选为 CCM 成员,故不再参加此轮投票。其他四个组织的代表在投票前均做了竞选陈述。投票结果,四川省凉山彝族妇女儿童发展中心(10)和北京市红丝带之家(7)得票最高,当选 CCM 参会代表。

本次选举的程序是由类别组代表经过讨论后确定的,充分尊重了所有代表的意见,整个过程是公开、透明、公正的。

<u>Appendix 18: CCM Secretariat Briefing on PLWHA Sector Member Selection (English)</u>

April 12, 2006, China CCM Secretariat released the notice of selecting CCM member in People Living with HIV/AIDS, TB and/or Malaria Sector (PLWHA hereafter for short). Up to April 22, there are 114 people signing up to participate in the selection.

On April 27, China CCM Secretariat held a meeting to solicit the suggestion and recommendations on selecting CCM member in PLWHA sector. Seven PLWHA from Beijing, Jilin and Heilongjiang, four NGO representatives from *Jilin City HIV/AIDS Care Community*, *Ai Zhi Yuan Zhu Center for Health and Education* and *China AIDS Info*, two officers from WHO and UNAIDS, and staff members of China CCM Secretariat attended the meeting. The following consensus had been reached:

- 1. Suggest CCM secretariat to communicate with those who claimed receiving notification late and missed the deadline, confirm their registration and include them into the constituency list.
- Process the election on the basis of present registered constituencies. Release
 the notice as quickly as possible, asking the candidates to provide a brief
 induction to state their experience, influence, ability and thinking of CCM work to
 make a better understanding of each other and facilitate the constituencies make
 their choices.
- 3. Since there is a big diversity in the number of constituencies in different provinces, direct voting will probably lead to unfair results. It suggested that each province have no more than three candidates. The secretariat was requested to hold a communication-election in Jilin, Henan and Hubei to create three candidates in each province. After that, the Secretariat will organize all of the candidates to hold a selection to create CCM member and two extra persons.

After confirming two extra candidates, on April 29, 2006, CCM Secretariat sent supplement forms to 116 PLWHA candidates for detailed information of themselves and got 73 feedbacks till the timeline May 9. Candidates from Jilin, Hubei and Henan provinces were 33, 13 and 15 respectively, so a pre-selection in these three provinces were carried out. Three representatives each in the three provinces were selected out as the candidates of these three provinces.

Finally, there are 21 candidates became constituencies in this sector. They come from: Jilin(2), Henan(3), Hubei(3), Heilongjiang(3), Guangdong(2), Hebei(1), Yunnan(1), Shanxi(2), Gansu(1), Hunan(1), Beijing(1).

On May 18, 2006, CCM Secretariat sent candidate's self introductions to the 21 constituencies asking them voting to create one CCM member and two extra persons. Up to the deadline of May 22, CCM secretariat received 20 valid votes. The statistics showed that votes on CCM members distribute separately and votes on two extra persons are comparatively centralized. Thomas (Alias) from Guangdong was selected as CCM members with 3 votes. Cai Hong (Alias) from Heilongjiang and Xiao Kan (Alias) from Huan were selected as CCM extra persons with 7 votes and 5 votes respectively. After the publication of the selection result on May 24, CCM secretariat received charge from constituencies that Cai Hong, who was selected as the extra person, was not PLWHA/TB/MAL patient. CCM secretariat communicated with Cai Hong asking her to submit documents that can testify she was a TB patient (As she announced in the application sheet). CCM secretariat sent an announcement that the

extra person qualification for Cai Hong would be suspended until her TB patient identity been confirmed.

<u>Appendix 19: CCM Secretariat Briefing on PLWHA Sector Member Selection (Chinese)</u>

二、 感染者类别组 CCM 成员和参会代表选举过程介绍

2006年4月12日 CCM 秘书处发出了"CCM 感染者类别组代表选举的通知"。截至4月22日,报名和推荐参加感染者类别组的人选有114名。

为组织好感染者类别组选举,2006年4月27日,CCM 秘书处在北京潇湘大厦举行了"CCM 感染者类别组选举征求意见会",听取报名者、相关国内、国际组织对选举的意见和建议。自河南省、北京、吉林、黑龙江等地的感染者7人、吉林市艾滋病关爱协会、沈阳爱之援助协会、中国艾滋病资讯等非政府组织代表4名、WHO和UNAIDS官员各1名以及CCM 秘书处工作人员参加了会议。会议达成如下一致意见:

- 1、 建议秘书处对个别提出接受通知延迟、错过报名时间的感染者,予以联系确认,加到报名名单中。
- 2、 在已经报名的人员的基础上组织下一步选举工作。尽快发出通知,请每个报名人员 提供自我简介,包括既往经历、工作和影响能力、参加 CCM 工作的设想。以使报名代表间能 相互了解,便于下一步选举。
- 3、 鉴于现在报名人数在地域分布上有比较大的差异,直接投票选举会产生不公平的结果,因此建议,每个省(直辖市)的报名人数不能超过3人。对于目前报名者超过3人的省份(吉林、河南、湖北),秘书处可以通过发选票,采用通讯选举的方式,由各省自己选出3名代表。之后秘书处组织各省市代表,选举出感染者类别组的CCM成员和参会代表。

2006年4月29日,在补充确认2名报名者后,CCM 秘书处向116位报名者发出了感染者类别组补充信息表,要求提供更多个人信息。至5月9日截止日,共有73位报名者提交了补充信息表,其中吉林、湖北、河南三省的报名人数分别为33、13、15人,超过3名。根据4月27日感染者类别组选举征求意见会的决定,5月11日,通过通讯投票的方式,在三省进行了预选举,每省各选出三名感染者代表本省参加全国范围的最终选举。

最终有 21 名感染者成为本类别组候选人。其中: 吉林省 3 名、河南省 3 名、湖北省 3 名、黑龙江省 3 名、广东省 2 名、河北省 1 名、云南省 1 名、山西省 2 名、甘肃省 1 名、湖南省 1 名、北京市 1 名。

2006年5月18日,CCM 秘书处向上述21名候选人发送了候选人信息表,并通过通讯投票的方式选举1名 CCM 感染者成员,2名参会代表。至5月22日截止日,共收回有效选票20张。选票统计显示,对 CCM 成员投票比较分散,来自广东省的 Thomas (化名)得票3票,为最高,当选为本类别组的成员;对参会代表的投票相对集中,来自黑龙江省的彩虹(化名)和来自湖南省的小侃(化名)分别以7票和5票当选为参会代表。5月24日,在感染者代表选举结果公布之后,秘书处收到候选人举报,认为当选的参会代表彩虹不是艾滋病/结核病/疟疾感染者。秘书处即与彩虹本人联系,要求提供证明其为感染者的材料,并通报,在核实彩虹的感染者身份之前,暂不确认她的参会代表资格。

注:以下为爱知行非正式翻译稿,正式翻译以联合国艾滋病规划署发布的中文翻译为准, 作者确切意思请参见英文原文

中国 CCM 选举评估报告

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最终报告: 2006年7月27日

注: 这是我们的最终报告。我们将最终报告发给我们访谈的各方,以及 CCM Ad Hoc 工作组的成员,以及 CCM 主席和副主席,以及全球基金。*Note*: This is our Final Report. We are sending it to the parties we interviewed, plus members of the CCM Ad Hoc Working Group, plus the CCM Chair and Vice-Chair, plus the Global Fund.

我们知道,这份报告或许会提交给 2006 年 7 月 28 日的 CCM 全体会议讨论。It is our understanding that this report may be presented for discussion at a CCM plenary meeting to take place on 28 July 2006.

我们将我们的评估方法说明(请见附件 5)发给了上述各方,并且没有收到任何反对意见,在这份文件中,我们指出,我们将在 7 月 31 日将最终报告公之于众。但是,现在我们意识到是否将最终报告公之于众的决定不能由我们决定,而是必须由 CCM 主席和副主席,或者 CCM Ad Hoc 工作组,或者是 CCM 全体决定的。In our methodology document (see Appendix 5), which we sent to all the parties above and to which we received no objections, we stated that we would put this Final Report in the public domain by July 31. However, we now recognize that the decision to put this document in the public domain cannot be made by us, it must be made by the CCM Chair and Vice-Chair, or the CCM Ad Hoc Working Group, or the full CCM.

我们强烈鼓励 CCM 将这份文件于 7 月 31 日公之于众。We strongly encourage the CCM to put this document in the public domain by July 31.

此前,在 7 月 18 日,我们向现在收到最终报告的同样的人发送了报告初稿。之后我们邀请各方在 7 月 25 日前通过电子邮件将他们的修改及评论意见发给我们。我们收到了许多邮件,于是我们在撰写最终报告时做出了一些改动。因为做出了这些改动,初稿已经不再有效,不应该再被传阅和引用。Previously, on July 18, we sent a Draft Report to the same parties that we are sending this Final Report to. We then invited those

parties to email us corrections or comments by July 25. We received many such emails, as a result of which we made a number of changes when preparing this Final Report. Because of those changes, the Draft Report has no official standing, and should not be circulated or quoted from.

这样做的原因是我们被要求在很短的时间里完成初稿和最终报告,因此,我们承认,初稿或许会有一定的事实上的错误,翻译上的错误,或者有一些建议我们也可能在最终报告中因为收到更多的想法和反馈而做出小的调整。The reason for this approach is that we were asked to produce the Draft Report and Final Report very rapidly, as a result of which we acknowledged, in the Draft Report, that the Draft might contain minor factual errors, errors of translation, or recommendations that we might decide to modify slightly in the Final Report as a result of further thought and feedback.

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简介 Introduction

我们应代表中国 CCM ad hoc 工作组的联合国艾滋病规划署的邀请对于最近 CCM 两个类别组的代表选举进行一次评估。有问题的两个类别组是"以社区为基础的组织或其它非政府组织"类别(以下简称为"社区组织/非政府组织类别")以及"艾滋病、结核病、疟疾患者或感染者"类别(以下简称为"感染者类别")。本次评估的工作职责由联合国艾滋病规划署提供,见附件 1。调查员的简介见附件 2 和 3。We were asked by UNAIDS, on behalf of an ad hoc working group of the China CCM, to conduct a review of the CCM membership elections that took place recently within two CCM sector groups. The sector groups in question are the "community based organizations or other NGOs" sector (referred to hereafter as the "CBO/NGO sector") and the "people living with HIV/AIDS, TB and/or malaria" sector (referred to hereafter as the "PLWHA sector"). The Terms of Reference for this assignment provided by UNAIDS are provided in Appendix 1. Our backgrounds are provided in Appendices 2 and 3.

我们两个都怀着开放的心态参与此次评估,并且愿意给出的结论是(如果有证据支持)选举没有错误,或是有很大的缺陷,应该宣布这两个选举无效,或者是两种结论之间的选择。We both entered this assignment with open minds, willing (if the evidence supported it) to conclude that the elections were without fault, or that the elections were massively flawed and should be declared invalid, or anything in between.

我们被允许可以接触所有我们想见的人,或者获得所有我们希望得到的材料,我们感谢调查过程中各方的配合。在我们需要的时候,他们都乐于向我们说出他们的看法,并且我们没有受到任何不当的压力。 We were provided access to all people and documentation that we requested, and we thank all parties for their cooperation. When appropriate, people provided their opinions, but nobody applied inappropriate pressure on us.

我们按照下面的时间表已经做了如下的事情: We have worked according to the following timetable:

- 7月11—15日: 查阅材料和走访各方。July 11-15: Review documentation, and interview various interested parties.
- 7月16—17日: 撰写评估报告初稿。July 16-17: Prepare Draft Report.
- 7月18日:将初稿发给我们走访的各方,以及 CCM 主席和副主席,以及 CCM ad hoc 工作组的成员,以及全球基金。July 18: Send Draft Report to the parties we interviewed, plus CCM Chair and Vice-Chair, plus members of the CCM Ad Hoc Working Group, plus the Global Fund.
- 7月 18—25 日: 收到初稿的各方通过电子邮件发给我们他们对于初稿的意见。 July 18-25: Parties to whom we sent the Draft Report email us their comments, if any, on the Draft Report.
- 7月26日: 撰写最终报告 July 26: Prepare Final Report.

- 7月27日北京时间9:00时前:将最终报告发给收到报告初稿的各方。By July 27, 9 am Beijing time: Send Final Report to all parties who were sent the Draft Report.
- 7月28日下午: CCM 讨论最终报告。July 28, afternoon: CCM discusses the Final Report.

我们采取的评估方法将在附件 5 中说明。The methodology we followed is described in Appendix 5.

执行总结 Executive Summary

注: 更多的信息及背景说明可以在右栏中的章节中获得。Note: Further details, and background explanations, are provided on the page numbers shown in the right-hand column.

发现: Findings:

我们的结论是: 社区组织/非政府组织类别组的选举过程是充分"由该类别组拟订 第 5(C)部分 的、透明的、有记录的",该类别选举的结果是有效的。但是,如在第7部分中 所述,我们建议当选的 CCM 成员及"列席代表"应该仅仅任职到 2007 年 4 月 1 Section 5(C), ∃ . It is our conclusion that the <u>CBO/NGO election process</u> was sufficiently page 14 "transparent, documented, and developed within the sector" for the election result to be regarded as valid. However, as discussed in Section 7, we recommend that the elected CCM member and "extra persons" should only serve until 1 April 2007.

我们感到社区组织/非政府组织类别组的选举仅能打一个"低的通过分",其主要 原因是参与该选举的组织的数量很少,原因是: We feel that the CBO/NGO election process had only a "low passing grade". The main factor contributing to this low passing grade is that the number of organizations participating in the election was low, which in turn was because:

- (f) 在 CCM 章程中的一个条款是有缺陷的,因此,组织被不正确地告知只能 注册的组织才能参与投票。(这将在附件20中的建议7中阐述。)There are weaknesses in one clause in the CCM TOR, as a result of which, organizations were incorrectly informed that only registered organizations could participate in the vote. (This is addressed in Recommendation 7, in Appendix 20, on page 56.)
- (q) CCM 给开展选举留出的时间太短了。The CCM provided too little time for the conducting of the elections.
- (h) 没有试图去为可能的与会者寻求参会资助。No means were found to finance the travel costs of potential participants in the election.
- (i) 在讨论选举规则当天就安排实际的选举, CCM 秘书处等于排除了类别组 成员通过电子邮件、传真或短信提交选票的可能性。By arranging for the discussion about election rules to be on the same day as the actual election, the CCM Secretariat ruled out the possibility of sector group members choosing to have an election involving votes submitted by email, fax, or SMS.

我们的结论是感染者类别的选举过程是一刚刚一足够是"由该类别组拟订的、是 第 6(C)部分

透明的、有记录的",该类别的选举结果是有效的。如第7部分所述,我们建议 当选的 CCM 成员和"列席代表"应该仅仅任职到 2007 年 4 月 1 日。It is our Section 6(C), conclusion that the PLWHA election process was - just - sufficiently page 182 "transparent, documented, and developed within the sector" for the election result to be regarded as valid. As discussed in Section 7, we recommend that the elected CCM member and "extra persons" should only serve until 1 April 2007.

我们感到感染者类别的选举仅能打一个"非常低的通过分",其主要原因是参加4 月 27 日的选举程序咨询会的感染者人数非常少(主要由于有关这次咨询会的多 个通知是混乱的),以及那些感染者并没有完全决定选举程序。We feel that the PLWHA election process had only a "very low passing grade". The main factor contributing to this is that the number of PLWHA involved in the April 27 discussion about election procedures was very low (primarily as a result of the multiple conflicting announcements about that meeting), and those PLWHA did not fully determine the election procedures.

当然,两个选举过程都存在着缺陷。但是我们没有给任何一个选举不合格的主要 第 5(C)部分和 原因是: The processes of both elections were certainly flawed. But the main 第 16(C)部分 reasons that we did not give either of them a "failing grade" are:

(a) 这是中国第一次举办 CCM 选举。This is the first time that CCM elections have been conducted in China.

Sections 5(C) and 6(C), pages 14 and

182

(b) 我们没有看到令人信服的证据表明 CCM 秘书处刻意地让哪个或者哪一类 特别的候选人当选或落选。We see no convincing evidence that the CCM Secretariat was trying to cause a particular candidate, or type of candidate, to win or lose.

主要建议: Main recommendations:

建议 1: CCM 应该认为最近举行的 CCM 社区组织/非政府组织类别组选举和感 第 7 部分 染者类别组选举的结果有效。应该允许当选的 CCM 成员行使 CCM 成员的权利。 Recommendation 1: The CCM should regard the results of the recent CCM Section 7, elections within the CBO/NGO and PLWHA sectors as being valid, and the page 182 CCM members who were elected should be permitted to serve as members of the CCM. 第7部分 建议 2: 最近在社区组织/非政府组织类别组选举和感染者类别组选举中当选的 CCM 成员和"列席代表"应该仅任职到 2007 年 4 月 1 日,而且应该在 2007 年 7, Section 1 月 1 日前由各自类别组制定并发布两个类别组下一次选举的选举程序。 page 182 Recommendation 2: The CCM members and "extra persons" who were

recently elected by the CBO/NGO and PLWHA sectors should only serve until 1 April 2007, and election procedures for the next election within those two sectors should be developed and announced by those sectors by 1 January 2007.

建议 3: CCM 主席应该鼓励最近在社区组织/非政府组织类别组和感染者类别组 第 7 部分 选举中当选的 CCM 成员在 2006 年 8 月初以书面的形式(最好也在 2006 年 7 月 28 日的 CCM 会议上以口头形式)告知他如下事项: Recommendation 3: The Section CCM Chair should encourage the people who were recently elected as CCM page 182 members by the CBO/NGO and PLWHA sectors to inform him, in writing, by early August 2006 (and preferably also verbally at the 28 July 2006 CCM meeting), that:

7,

- (a) 他们本次任期仅持续到 2007 年 4 月 1 日。They will regard their current term of office as lasting only until 1 April 2007.
- (b) 他们将在 2007 年 2 月召集各自类别组的新一轮选举,新选举采取各自类 别组于 2007 年 1 月 1 日前自行制定并宣布的公开的程序,以便 2007 年 2月当选的接任者能在 2007 年 4月 1日顺利交接。They will call for new elections to take place in February 2007 within their respective sectors, using transparent procedures that are developed and published by their sectors by 1 January 2007, such that the people elected in February 2007 can take office by 1 April 2007.
- (c) 他们将请求联合国艾滋病规划署或者其他中立组织协助他们召集 2007 年 2月的选举,特别地,他们将请求中立组织 (i) 主持 2007年2月选举中 各自类别组关于选举程序的面对面或者电子手段的讨论和决策,并且 (ii) 帮助贯彻实施各类别组自己认可的选举程序。They will request UNAIDS or some other neutral organization to assist them with the convening of the February 2007 elections, and specifically, they will ask that neutral organization (i) to host in-person and electronic discussions and decision-making within their sectors regarding the electoral procedures to be used in the February 2007 elections, and then (ii) to help implement the electoral procedures that are agreed within the sectors.
- (d) 本着将 2007 年 2 月的选举办成以后全球公认的代表最佳实践的选举的目 的,他们将鼓励其类别组内外的广泛各方参与到关于选举程序的讨论中 来,包括一些国际层面的参与。作为讨论的一部分,他们将邀请那些在 CCM 选举实践上贡献良多的组织,如爱知行及在中国的其他组织给出他 们的建议,并且认真地考虑他们的建议。They will encourage input into these discussions regarding election procedures from a wide range of parties inside and outside their sectors, including internationally, with the objective that the February 2007 elections will subsequently be seen globally as representing best practice. As part of this, they will invite suggestions from Aizhixing and other organizations within China that have devoted considerable thought to issues of CCM electoral practice, and will carefully study those suggestions.
- (e) 他们将鼓励国内外力量提供一定的资金,由联合国艾滋病规划署或者其它 中立组织来管理,用于支持任何由类别组自行制定的选举程序。They will

encourage domestic and international sources of funding to offer modest grants, to be administered by UNAIDS or some other neutral organization, that can be used to support whatever electoral processes are developed within their sectors.

建议 4: Recommendation 4:

第7部分

(a) 如果最近在社区组织/非政府组织类别组和感染者类别组中当选的 CCM 成员在 2006 年 8 月初前以书面的形式承诺履行了建议 3 中所说的, CCM 应该通过一项决议对他们的作为表示称赞。If the people who were recently elected as CCM members by the CBO/NGO and PLWHA sectors commit themselves, in writing, by early August 2006, to carrying out all of the steps in Recommendation 3, the CCM should pass a resolution praising this move.

Section 7, page 19

(b) 但是如果当选的 CCM 成员没有以书面形式承诺履行上述建议, CCM 全 体会议应该以三分之二多数票通过一项决议,允许这两个类别组暂时不遵 循 CCM 章程中 2.10 款(该条款规定 "CCM 类别组成员任期为 2 年"), 旨在能够实现建议 3 中所述的同样结果。But if those CCM members do not commit themselves in writing to carrying out all those steps, the CCM plenary should pass a resolution, by a two-thirds majority, temporarily over-riding Clause 2.10 in the CCM TOR (which states "CCM members will serve for a period of 2 years") for these two sectors, and aiming for the same results as are specified in Recommendation 3.

建议5: 如果可以证明以后仍有必要让 CCM 来指定选举的召集人的话,CCM 第 7 部分 应该明确召集人必须仅仅是一个协助者,一定不能指定规则和程序。

7,

Recommendation 5: If it should prove necessary in the future for the CCM to Section appoint conveners for elections, the CCM should make it quite clear that the page 19 conveners must only be facilitators, and must not specify rules and procedures.

附加建议: Additional recommendations:

(注: 我们认为以下建议是相关的,有帮助的,但是这些建议被放在了附件中,因为部 分或全部建议或许不属于我们的工作职责。)

Note: We believe that the following recommendations are relevant and helpful, but they have been placed in appendices because some or all of them may lie outside our terms of reference.)

建议 6: CCM (a) 既应该制定和采用一个对于哪类组织有资格作为哪个类别组的 附件 20 CCM 成员给出更加严谨的定义, (b) 或者应该指定和授权一个中立方在不确定的情 况下对于某个特别的组织属于哪个类别组做出裁决。 **Recommendation 6:** The Appendix CCM should either (a) produce and adopt a document providing tighter definitions 20, page of which types of organization are eligible to be members of which Sectors Groups, 231 or (b) appoint and empower a neutral party to make a ruling each time there is

uncertainty as to which Sector a particular organization belongs to.

建议 7: 应该修改 CCM 章程,明确表达出 CCM 主席和副主席在第 15 次 CCM 全 附件 20 体会议上指出的——即:未注册的草根/基于社区的组织可以成为类别组成员,并且 可以参与选举其所在类别组 CCM 成员,也可以担任第 2.11 款中提到的"列席代表", 但是不可以担任 CCM 成员。 Recommendation 7: The CCM TOR should be amended to explicitly reflect the policy spelled out by the Chair and the Vice-Chair at the 15th CCM plenary meeting - namely, that persons from un-registered grass-roots/community-based organizations may be sector group members, and may take part in elections of their CCM members, and may serve as the "extra persons" mentioned in Clause 2.11, but may not serve as CCM members.

Appendix 20, page 56

这需要 CCM 章程中的第 2.5 款从 This requires that Clause 2.5, item (1), in the CCM TOR be changed from

"在中国合法注册的机构、组织,或是中国公民""Are legally registered to operate within China and/or are Chinese citizens"

改为

"在中国开展工作的机构、组织,或是中国公民(如果希望担任其所在类别组成 员或者担任'列席代表',他/她不需要代表那些在中国合法注册的组织,但是如 果希望当选 CCM 成员,他/她就需要代表那些在中国合法注册的组织。)" "Operate within China and/or are Chinese citizens. (People do not need to represent organizations that are legally registered to operate within China if they wish to serve as Sector Group members or as "extra persons", but they do need to represent organizations that are legally registered to operate within China if they wish to be elected as CCM members.)"

建议8: 第 3.12 款的英文翻译应该从 "All decisions made at a CCM meeting are 附件 20 valid unless at least half of the CCM members are present at the time of the decision" 改为 "Each decision made at a CCM meeting is only valid if at least half of the voting CCM members were present at the time of the decision"。中文: 第 3.12 款:"在决议做出时,至少有半数有投票权的 CCM 成员在场, CCM 会议做出的决议 方才有效。" Recommendation 8: The wording of Clause 3.12 of the CCM TOR should be changed from "All decisions made at a CCM meeting are valid unless at least half of the CCM members are present at the time of the decision" to "Each decision made at a CCM meeting is only valid if at least half of the voting CCM members were present at the time of the decision."

Appendix 20. page 236

建议9: 第3.1(4) 款的用语应该从"The CCM Chair and the CCM Vice-Chair should 附件 20 be from different sector groups or ministries" 改为 "The CCM Chair and the CCM Appendix Vice-Chair should be from different sectors"。中文: 第 3.1(4) 款应该从 "CCM 主 20, page 席和副主席应来自不同类别组或部委"改为"CCM 主席和副主席应来自不同的类别 236 组"。Recommendation 9: The wording of Clause 3.1(4) of the CCM TOR should be changed from "The CCM Chair and the CCM Vice-Chair should be from different sector groups or ministries" to "The CCM Chair and the CCM Vice-Chair should be

from different sectors."

建议 10: CCM 应该严肃评估是否稍微减少来自于"政府+多边+双边"的成员的数 | 附件 21 量,并且/或者稍微增加来自"公民社会"成员的数目。一个适当的做法是增加 1-2 Appendix 名代表社区组织/非政府组织类别组的成员的数目,就如同 2006 年 3 月 27 日的特别 21. 工作组会议上增加双边组织代表的数目一样。Recommendation 10: The CCM 59 should seriously review whether to slightly decrease the number of government + multilateral + bilateral members, and/or to slightly increase the number of "civil society" members. A very appropriate step would be to increase the number of CBO/NGO members from one to two, just as the number of bilateral organization representatives was increased from one to two at the SWG meeting on 27 March 2006.

CCM 选举的背景 Background to the CCM elections

中国 CCM 成立于 2002 年,并成为世界上较早的正式制定章程的 CCM 之一(其他各 国的 CCM 也称为"宪章""工作制度"或者"管理手册"等)。The China CCM was established in 2002, and became one of the world's first CCMs to develop formally agreed Terms of Reference (referred to by other CCMs as "constitution", "bylaws", or "governance manual").

原来的 CCM 章程并没有草根组织一项。但是中国有许多草根组织,很多在抗击艾滋病 中都希望并且能够发挥重要的做用。但是大多数草根组织都不能发挥这样的作用,有两 个原因: 首先, 他们一直都被国家级/省级政府大大地忽视(而且有时, 特别是早些年, 也因政府干预而处境艰难)。第二,他们获得资金的途径非常有限。This first CCM TOR did not provide a role for grass-roots NGOs. Yet there are thousands of grass-roots NGOs in China, many of them willing and able to play a key role in the fight against HIV/AIDS. Most of these grass-roots NGOs, though, have been prevented from playing such a role in two ways. First, they have been largely ignored by national/provincial/local government (and, occasionally, have been given a hard time by government, particularly in the earlier years). Second, they have very limited access to money.

但是每个人都意识到找到让草根组织参与 CCM 事务的途径并不是一件容易的事。这些 组织发现在政府部门注册困难,某些情况下他们也认为注册无益。而且,他们不时直言 不讳,当然不能总是依附国家级/省级/地方政府,并与他们意见一致。Everyone recognized, though, that it would not be easy to find a way to get the grass-roots NGOs properly involved in CCM matters. Such organizations find it hard to get registered with government ministries, and in some cases they see no advantage in doing so. Also, they are at times outspoken, and certainly cannot be relied upon always to agree with national/provincial/local government.

page

E: 制定新的 CCM 章程 Development of new CCM TOR

2004 年 11 月,CCM 同意进行改革(及在新的章程中反映这些改革),以加强 CCM 的工作效率,纠正上述的一些缺陷,并且确保 CCM 符合全球基金的要求。In November 2004, the CCM agreed to commence some reforms (and to create new TORs to reflect these reforms) in order to improve its efficiency, and to overcome some of the shortcomings just mentioned, and to ensure that the CCM remained compliant with evolving Global Fund requirements.

15 个月后,即 2006 年 2 月 20 日,在外部专家给出意见以及一些随后在 CCM 成员中的讨论之后,CCM 第 15 次全体会议上审阅了新章程的草案,并且对很多可能的修改意见进行了讨论,原则上通过了这份章程,并决定组建特别工作组根据 CCM 成员提出的进一步意见对章程进行"润色修改",拿出最后版本。Fifteen months later, on 20 February 2006, after input by an outside expert and multiple subsequent discussions among CCM members, the 15th plenary meeting of the CCM reviewed a draft new TOR document. Various possible modifications were discussed. The TOR were approved in principle, and a Special Working Group (SWG) was given the task of performing the final "polishing", based on further input to be provided by CCM members.

2006 年 3 月 27 日,特别工作组完成对于新 CCM 章程的修改,一致通过最终版本,该章程可以在 http://211.167.248.4/globalfund/ccm/ccmtor_en.pdf 处获得。On 27 March 2006, the SWG polished and unanimously agreed on the final wording of the new CCM TOR document, which is accessible at http://211.167.248.4/globalfund/ccm/ccmtor_en.pdf.

F: 对于新章程中的要点的评论 Comment on Key points in the New CCM TOR

评论: 我们的结论造成对于最近 CCM 选举产生争议的因素之一是新 CCM 章程中存在一些缺陷。我们认为,如果这些缺陷没有被解决,今后的 CCM 选举可能还会有问题。

Comment: We have concluded that one of the factors that led to the disputes regarding the recent CCM elections is that there are some weaknesses in the new CCM TOR. In our opinion, future CCM elections may again have problems if these weaknesses are not addressed.

因此,我们做出的分析包括: Accordingly, we have prepared an analysis showing:

- 影响选举的新 CCM 章程中的要点。The key points in the new CCM TOR that had an impact on the elections.
- 对于这些要点的优势和缺陷的一些评论。Some comments regarding their strengths and weaknesses.
- 改进这些要点的一些建议。Some recommendations for improving them.

我们并不清楚这部分是否包含在我们本次评估的职责范围内。一方面,我们的职责范围并没有提到需要对于 CCM 章程的批评意见。另一方面,我们的职责范围让我们给出建议,包括如何"改进今后的选举"的建议。It is not clear whether or not this falls within the TOR for our Review. On the one hand, our TOR contain no mention of the need for us to critique the CCM TOR. On the other hand, our TOR ask us to make recommendations, including recommendations on how to "improve future elections".

因为有这样的疑惑,我们将上述的分析放在了附件20 中而不是放在本报告的正文部分。 我们鼓励读者再继续读下文前先仔细阅读附件20,因为这个附件中谈到了一些对于选 举产生影响的因素。Because of this doubt, we have placed the above-mentioned analysis in an appendix (Appendix 20) rather than in the body of this report. We encourage readers to study Appendix 20 (see page 231) before proceeding further, because the appendix describes some factors that had an impact on the elections.

G: 改革过渡时期工作方案 Reform Transition Plan

改革过渡时期工作方案在 2006 年 2 月 20 日第 15 次 CCM 全体会议上被原则通过,并在 3 月 27 日的特别工作组会议上完成最终修改。这份方案中的一个重点就是将由主席、副主席提名各类别组选举的"召集"组织。召集人可以是该类别组的成员,也可以来自其它类别组。A Reform Transition Plan was approved in principle by the 20 February 2006 CCM 15th plenary meeting, and polished and finalized by the 27 March SWG meeting. A key part of this plan was that the Chair and Vice-Chair would nominate a "convener" organization for the election to be conducted within each sector group. The convener might be a member of the sector group, or it might be from some other sector.

改革过渡时间工作方案中 CCM 秘书处被选为社区组织/非政府组织类别组和感染者类别组的召集人。The Reform Transition Plan shows that the convener chosen for both

the CBO/NGO sector and the PLWHA sector was the CCM Secretariat.

评论:如许多其他国家一样,草根组织核国家级/省级/地方政府的关系有时会变得紧张。由于 CCM 秘书处隶属于中国疾病预防控制中心,由政府财政支持,其领导人由政府任命,因此,就不会奇怪为什么即使 CCM 秘书处不"隶属于政府",草根组织有时也会担心在当他们与政府持不同意见时, CCM 秘书处可能会更加向政府一面了。

Comment: As in many other countries, the relationship between grass-roots NGOs and national/provincial/local government has at times been strained. And the CCM Secretariat is part of China CDC, which is financed by government and has its leader appointed by government. Thus, even though the CCM Secretariat is not "part of government", it is not surprising that at times, grass-roots NGOs have worried that the CCM Secretariat might be more likely to take the government's side rather than their own in any disagreement they might have with government.

而且,很清楚,从一开始,让草根组织成为 CCM 成员,并且该成员由草根组织自己来选举产生,就是一件高度敏感和革新的举动,就会受到许多人,包括一些政府部门人士的欢迎,但也可能不会受到<u>所有</u>政府部门的人士的欢迎。Furthermore, it was clear from the beginning that to have a grass-roots NGO be a member of the CCM, and to have that member be chosen by the grass-roots NGOs themselves, was a highly sensitive and innovative action that would be welcomed by many, including by some in government, but might not be welcomed by all within government.

鉴于所有这些理由,改革过渡时期工作方案指定社区组织/非政府组织类别组和感染者类别组选举的召集人应该是 CCM 秘书处是一个不明智的举动——虽然我们<u>不相信</u>这样做是为了操纵选举结果,我们<u>确实</u>认为问题的一部分出在没有其他人自愿地来做召集人。当然,除了招致麻烦,秘书处从此项活动中也不太可能获得任何好处。In light of all this, it was an unwise move for the Reform Transition Plan to specify that the convener for the CBO/NGO and PLWHA elections should be the CCM Secretariat — though we do <u>not</u> believe that this was done with intent to manipulate the results, and we <u>do</u> recognize that part of the problem was that nobody else volunteered to serve as convener for these two elections. Certainly the Secretariat was likely to gain little beyond headaches from this activity.

选择一个更加独立于政府之外的组织,如联合国艾滋病规划署来做召集人也许更明智些。It would have been wiser to choose as convener an organization that is more independent of government, such as UNAIDS.

过渡时间工作方案的中文是这样写的: The Chinese version of the Reform Transition Plan says:

第一步: 选举成员(四周时间)

在 CCM 全体会议上,由主席、副主席提名并通过过渡时期各组别召集单位(或召集人),负责各自组别的选举,选举出成员和另外两名参加 CCM 会议成员,以及制定相应的规则,并提出参加 3 个疾病专项工作组的意向;

过渡时间工作方案的英文对于这一款的翻译是这样写的(有下划线的部分是我们添加的)The English version of the Reform Transition Plan translates the above clause as follows (with underlining added by us):

Selection of CCM Members

At the coming CCM Plenary, CCM Chair and Vice Chair will nominate conveners of each sector group. These conveners are to make relevant procedures or rules (由这些召集人制定各自组别的程序和规则), organize constituencies of their sector group to select new CCM member and other 2 members to attend CCM Meetings. The intentions of joining the three Disease Working Groups will be collected at this meeting.

CCM 现在说上面的英文翻译不好。我们自己对于这款的翻译是这样的(重申:有下划线的部分是我们添加的): The CCM Secretariat now says that the above is a poor translation. Our own translation of the above clause (again, with underlining added by us) says:

Selection of CCM Members

At the CCM plenary meeting, <u>convening agencies</u> (or <u>conveners</u>) of each sector during the transition period nominated and endorsed by the Chair and Vice Chair <u>shall</u> be responsible for their respective sectors' election to elect a member to the CCM and two members to attend CCM meeting and to <u>develop relevant rules</u>, and to propose the intention of joining the working groups of the three diseases. 在 CCM 全体会议上,由主席、副主席提名并通过的过渡时期各组别<u>召集单位(或召集人)将</u>负责各自组别的选举,包括选举一名 CCM 正式成员和两名参加 CCM 会议的列席代表,<u>制定相关规则</u>,提出参与三种疾病工作组的意向。

评论: 我们理解改革过渡时期工作方案的中文版本是实际操作时所依照的版本。两个英文 翻译并不一样。但是两个都指出召集人应该"制定相关规则"。如果 CCM 的意图确实是由 召集人 "制定各类别组······的选举规则",而不仅仅是"协助"选举(如 CCM 章程的第 2.7 款中所述),而这些规则超越了比如提供和通知会议时间、地点这样的事情,这就非常 不妥当了。正如上面 C(2)(d)中所述,全球基金的要求和 CCM 章程中均明确地提到各类别 组的选举必须由各类别组自己制定,而一定不能由一个外部的召集人指定。Comment: It is our understanding that the Chinese version of the Reform Transition Plan was the governing version. The two translations into English are not identical. translations specify that the convener should "develop relevant rules." If the intent of the CCM was indeed for the conveners to "develop rules" for the sector group elections. rather than merely to "facilitate" the elections (as specified in Clause 2.7 of the CCM TOR), and if these rules went beyond things like offering and announcing a time and place for meetings, etc., this would have been highly inappropriate. As stated in C(2)(d) above, the GF requirements and the CCM TOR both make it quite clear that the process for each election must be developed within the sector, and must not be specified by an outside convener.

因此,我们评估的一个核心就是 CCM 秘书处是否仅仅是"协助"两个类别组的选举(这样的话就是正确的),还是说就如何进行选举"制定规则"(这样的话就是错误的)。A central aspect of our Review, therefore, has been whether the CCM Secretariat merely "facilitated" the two elections (which would have been fine), or "made rules" regarding how the elections should be conducted (which would have been wrong).

H: CCM 各类组别的百分比 CCM percentage breakdown between various sectors

评论: 全球基金建议 CCM 成员至少 40%来自于广义上的"公民社会部门"。对中国 CCM 而言,这样的组别包括专业/教育机构、人民团体、中国协会或社会团体、国际非政府组织、社区组织/非政府组织,疾病患者,以及私人部门/公有企业。

Comment: The Global Fund recommends that at least 40% of any CCM's membership should come from what can loosely be termed as "civil society sectors". In the case of the China CCM, those sectors are Academic/Educational Institutions, Mass Organizations, Chinese Associations or Societies, International NGOs, CBO/NGOs, PLWHA, and Private Sector/State Owned Enterprises.

我们认为分析新 CCM 章程中指出的中国 CCM 的组成是否符合全球基金的建议是适当的。但由于这样的分析不属于我们的职责范围,我们将其放在附件 21 中。因为 We thought it appropriate to analyze whether the composition of the China CCM, as specified in the new CCM TOR, is compliant with this GF recommendation. Because such an analysis lies outside our TOR, we have placed it in an appendix (see Appendix 21, page 238).

选举后发生的事件 Events following the elections

抗议和 CCM 的反应 Protests and CCM response

在 2006 年 6 月 5 日召开的 CCM 全体会议上,CCM 接受了各类别组的选举结果,但是也提到了对于草根组织类别组和感染者类别组选举结果存在争议。At its plenary meeting held on June 5th 2006, the CCM accepted the result of the elections of the various sector group representatives, but noted that the results of the CBO/NGO and PLWHA sectors had been disputed.

为了解决有争议的选举,依据 CCM 章程中写到的程序,CCM 全体会议将建立一个由联合国艾滋病规划署主持的 ad hoc 工作组,对有争议的 CCM 类别组的选举过程进行评估。我们 (Bernard Rivers 和邱仁宗) 应邀协助开展本次评估。In order to address the disputed elections in accordance with the procedures outlined in the CCM TOR, the CCM plenary established an ad hoc working group to be chaired by UNAIDS to review the process followed in the disputed elections. We (Bernard Rivers and Qiu Renzong) were asked to assist in carrying out the review.

全球基金的反应 Global Fund response

7月11日的《金融时报》对争议进行了报道。《金融时报》引用了下列全球基金的言论;全球基金已经确认了这些言论是准确的。The dispute was mentioned in a July 11 article in the *Financial Times*. The FT had the following quotes from the GF; the GF has confirmed to us the accuracy of the quotes:

全球基金执行主任 Richard Feachem 先生说"我们相信,目前正在有一个完善的过程在评估那个选举"…… "We believe that a sound process is now in place to review that election," said Richard Feachem, Global Fund executive director...

"全球基金将坚决执行评估后提出的建议" Feachem 说,"我对于本事令人满意的解决保持 乐观。" "The Global Fund will be insisting that the recommendations coming out of that review are fully implemented," Dr Feachem said. "I'm optimistic that this will lead to a satisfactory resolution."

全球基金的工作人员表示,如果建议未能得到贯彻执行,可能会导致援助资金的延迟或终止。 Staff at the Global Fund ... said failure to implement the recommendations could lead to suspension or termination of the grants.

7 月 11 日同一天,全球基金和中国疾病控制中心(作为中央执行机构)签署了两个第 五轮的赠款协议。全球基金工作人员授权我们引用随同赠款协议的下面的附加条件: On the same day, July 11, the Global Fund and China CDC (serving as Principal Recipient) signed two Round 5 grant agreements. GF staff have authorized us to quote the following conditions that are contained in the grant agreements:

"在第一阶段开始日期后6个月内,CCM需要以表格或者其他材料的形式向全球基金提供令全球基金满意的证据,证明:""Not later than six months after the Phase 1 Starting Date, the CCM shall deliver evidence to the GF, in form and substance satisfactory to the GF, that:

"(a) ad hoc 工作组(根据CCM章程第2.8款,由联合国艾滋病规划署牵头)开展的对于NGO/CBO类别组和艾滋病、结核和/或疟疾患者和/或感染者类别组的选举的评估已经结束; 并且"(a) the ad hoc working group (formed pursuant to section 2.8 of the Terms of Reference of the CCM and headed by UNAIDS), which is tasked with reviewing the election of the CCM representatives from the NGO/CBO sector and sector of people living with HIV/AIDS, TB, or malaria, has completed its review; and

"(b) CCM 不符合全球基金要求的缺陷已经被纠正。" "(b) any deficiency in the CCM's compliance with the GF's requirements has been remedied."

评论: 根据全球基金的文件,第一阶段的开始日期很可能是 2006 年 7 月 1 日。因此条件(b) 意味着如果全球基金认为 CCM 没有符合全球基金的要求,CCM 必须在 2007 年 1 月 1 日前对那些不符合全球基金要求的缺陷予以纠正。 **Comment:** According to the GF, the Phase 1 Starting Date will probably be 1 July 2006. Condition (b) therefore means that if the GF concludes that there are ways in which the CCM is not compliant with GF requirements, those deficiencies must be fixed by 1 January 2007.

社区组织/非政府组织类别组选举 The CBO/NGO election

C: <u>社区组织/非政府组织类别组选举是如何进行的</u> How the CBO/NGO election was conducted

- 20. 在 2006 年 3 月 27 召开的特别工作组会议上,根据同日通过的"CCM 改革过渡时期工作方案"CCM 秘书被指定为社区组织/非政府组织类别组选举的召集人。At the 27 March 2006 SWG meeting, the CCM Secretariat was appointed to serve as convener of the CBO/NGO election, in line with the "CCM Reform Transition Plan" approved on the same date.
- 21. CCM 改革过渡时期工作方案指出: "召集人负责制定与选举相关的程序和规则"。如上所述,这条规定如果被绝对贯彻的话,是与全球基金 CCM 指南以及中国 CCM 章程相违背的。The CCM Reform Transition Plan specified that the conveners should make "relevant rules" regarding the election. As discussed above, this instruction, if pursued too far, conflicted with the GF's CCM Guidelines and with the CCM TOR.
- 22. 从 3 月 27 日到 4 月 10 日,CCM 秘书处声称他们有就选举问题向一些非政府组织以及中国的协会或团体咨询过意见,但他们似乎并没有广泛地向注册的及未注册的社区组织/非政府组织咨询过意见。Between March 27 and April 10, the CCM Secretariat consulted, it says, with "some NGOs and Chinese associations or societies", but it does not appear to have consulted widely with registered and un-registered CBO/NGO organizations.

- 23. 4 月 10 日,CCM 秘书处发布了一则关于社区组织/非政府组织类别组选举的通知。 通知以传真、电话、电子邮件的形式发给了 32 个社区组织/非政府组织; 同时在 CCM 的网站上发布。On April 10, the CCM Secretariat sent out a notice about the CBO/NGO election. The notice was sent to 32 CBO/NGO groups by fax, telephone, and email; it was also posted at the CCM website.
- 24. 通知随后通过多个电子邮件组转发给了更多社区组织/非政府组织,有数百名这些邮件组的注册用户收到该通知。The notice was then relayed to multiple additional CBO/NGOs through various email lists that have hundreds of subscribers.
- 25. 随通知附有一份报名表,有意参加选举的社区组织/非政府组织可以填写,并于在 4 月 20 日之前递交给 CCM 秘书处。The notice had an application form attached, which CBO/NGO organizations could fill in stating that they wished to take part in the election. The form had to be returned to the CCM Secretariat by April 20.
- 26. 通知中写到: "本类别组选举者和被选举者需符合以下条件: 1)在中国合法注册的以社区为基础的组织或其它非政府组织······"(下划线是我们加的)如上所述,这一点与 CCM 主席和副主席提到的 CCM 实际上的政策是相冲突的。The notice stated that "the <u>voters</u> and candidates to be voted in this sector <u>need to meet the following criteria</u>: 1) Community based organizations or other NGOs who are <u>legally registered in China</u>…"(Underlining added by us.) As discussed above, this instruction conflicted with the CCM's actual policy as specified by the CCM Chair and Vice-Chair.
- 27. 通知提到将于 4 月 27 日召开一次社区组织/非政府组织类别组会议,"讨论确定选举程序并进行选举"。通知中并没有说明会议将在北京举行,而是说"会议具体时间、地点将另行通知。" The notice specified that there would be a CBO/NGO meeting on April 27 "to discuss election procedures and conduct election." The notice did not specify that this meeting would be in Beijing. It said that information would be sent later regarding the time and location of the election meeting.
- 28. 通知上说"根据 CCM 过渡时期方案,CCM 秘书处将作为召集人,负责……选举组织工作。"还说选举程序将由参与选举的组织自己讨论,但没有说将由他们决定。The notice said "According to the CCM Transition Plan, CCM Secretariat as a convener, is responsible for the organizational work of the … election." It said that the election procedures would be <u>discussed</u> by participants, but it did not say that the procedures would be <u>decided</u> by participants.
- 29. 通知中没有提到为参加会议者来开会提供交通方面的资助。The notice did not offer any financial support to enable participants to travel to the election meeting.
- 30. 在 CCM 秘书处 4 月 24 日发布的第二则通知中,CCM 秘书处与已经报名参加选举的组织联系,提供了这些组织的名单以及会议的时间及地点,会议定于 4 月 27 日,也就是通知发布仅仅三天之后进行。这份通知称,截止 4 月 22 日,有 16 个组织报名参加选举,尽管报名截止日期曾经是 4 月 20 日。4 月 27 日开会时,参会组织的数量从 16 个增加到了 18 个。In its second notice, on April 24, the CCM Secretariat contacted the organizations that had registered to take part in the elections, providing the names of the organizations that had registered, and also providing details of the time and place of the meeting that was to take place on April 27, only

three days later. This second notice stated that 16 organizations had registered by April 22, even though the deadline had been April 20. By the time of the April 27 meeting, the number had increased from 16 to 18.

31. 我们询问 CCM 秘书处为什么报名参加选举的组织的数量在截止日期 4 月 20 日到选举日期 4 月 27 日期间增加了。秘书处用中文予以回答; 我们的翻译如下: We asked the CCM Secretariat why the number of organizations registered to take part in the election increased between the April 20 deadline and the election date of April 27. The Secretariat replied in Chinese; our translation is as follows:

"在我们发布社区组织/非政府组织类别组选举的通知之后,一些组织给我们打电话说由于他们收到通知的时间非常晚,他们寄出报名表的时间也晚。因此,在截止日期 4 月 20 日之后的 4 月 22 日,我们开始统计所收到的报名表,当时的统计结果是共有 16 个组织提交了申请 "After the Notice on CBO/NGO sector election was released, some organizations phoned us saying since they got the Notice very late, therefore, their applications forms were sent out late also. As a result, on April 22 after the deadline of April 20 for receiving applications, we started to calculate the received applications and the calculation result was that a total number of 16 organizations had applied.

"在 4 月 24 日,秘书处发布通知说这个类别组的选举会议计划于 4 月 27 日举行。在通知发出后,朝阳华人 AIDS 干预工作组给秘书处打电话,表达了他们希望报名参与选举的意愿。中国艾滋病资讯的欧迪龙先生访问了秘书处,并表达了同样的意愿。 "On April 24, the Secretariat released the Notice notifying that this sector's election meeting was planned to be conducted on April 27. After this Notice was sent out, Chaoyang Chinese AIDS Volunteer Group phoned the Secretariat and expressed the interested to be registered to take part in the election. Odilon Couzin, China AIDS Info visited the Secretariat and expressed the same interest.

"出了让更多的组织参与选举的考虑,秘书处同意了朝阳华人 AIDS 干预工作组和中国 艾滋病资讯的请求。除了这两个组织之外,没有其他组织和秘书处联系报名参加选举。" "In considering to have more organizations to take part in the election, the Secretariat agreed the requests from both Chaoyang Chinese AIDS Volunteer Group and China AIDS Info. Except for these two organizations, no other organizations contacted the Secretariat to apply for the election."

- 32. 万延海负责的爱知行随后指责到: 在报名参加 4 月 27 日会议的 18 个组织中实际上有一些组织属于私有/公有企业类别组,中国社会团体类别组,和/或专业/教育机构类别组。Aizhixing, the organization run by Wan Yanhai, subsequently complained that some of the 18 organizations who registered for the April 27 meeting actually belonged in the Private Sector/State-owed Enterprise sector, the Chinese associations and societies sector, and/or the academic/educational institutions sector.
- 33. CCM 秘书接受了所有向他们报名参加选举的社区组织/非政府组织的申请,而没有对他们进行资格审查。值得强调的是,CCM 没有将未在政府注册的组织筛选出去,他们说原因是在技术上有操作难度。同时也没有把与政府、专业机构等类别组至少有间接联系的组织筛选出去。When CBO/NGO organizations sent in to the Secretariat their requests to register for the election, the Secretariat accepted all

- of them, without checking their credentials. In particular, it did not screen out organizations that were not registered with the government, because, it says, of the technical difficulty of doing so. Also, it did not screen out organizations that had at least an indirect connection with other sectors such as government, academic sector, etc.
- 34. 18 个报名组织中有 14 个参加了 4 月 27 日的会议。Fourteen of the 18 organizations that had registered for the April 27 meeting attended the meeting.
- 35. 在 4 月 27 日的会议上,CCM 秘书处首先对于 CCM 新章程产生的背景做了介绍。然后社区组织/非政府组织参会者讨论和制定了选举程序。随即社区组织/非政府组织参会者通过三轮匿名投票进行了选举。CCM 秘书处并没有参与制定和执行选举程序;甚至唱票的工作也是由参会者,而不是秘书处完成的。At the April 27 meeting, the CCM Secretariat provided some background information about the CCM TORs. Then the CBO/NGO participants discussed and planned an election procedure. Then the CBO/NGO participants carried out the election, via three rounds of secret ballots. The CCM Secretariat did not play a role in planning or conducting the election procedures; even the counting of votes was done by the participants, not by the Secretariat.
- 36. 爱知行在选举前离会,因为他们对选举部分地或全盘地反对。Aizhixing left the meeting before the election, because it objected to some or all aspects of the election.
- 37. 会前,爱知行指责 CCM 章程不符合全球基金的要求,因此实际上 CCM 是不合法的。在会后,爱知行重申了这项指责,同时也指责选举程序没有遵循 CCM 章程。Before the meeting, Aizhixing complained that the CCM TORs were not compliant with GF requirements, and thus, in effect, that the CCM was illegal. After the meeting, Aizhixing repeated this complaint, and also complained that the election procedures had not been compliant with the CCM TORs.
- 38. 参加 4 月 27 日会议的人接受了会议产出的结果。The April 27 meeting produced a result that was accepted by those that participated in the election.
- 39. 随后,爱知行组织了他们自己的社区组织/非政府组织类别组的选举,有70个组织参与。其中一些组织此前曾从爱知行获得过资金支持,或者参加此次会议的路费由爱知行报销。(尽管事实如此,许多参与该会议的组织却明确地表达,无论是与爱知行交流时,还是在和其他组织私下交谈时,他们当然不总是支持爱知行或者他们的领导。)仅有一个草根组织既参加了4月27日的选举,也参加了爱知行资助的选举。Later, Aizhixing organized its own election for the CBO/NGO sector, with 70 organizations participating. Some of these organizations had previously received financial support from Aizhixing, or had their travel costs to the meeting reimbursed by Aizhixing. (Despite this fact, many of the organizations attending the meeting made it clear, both to Aizhixing and in private conversations with others, that they certainly did not always support Aizhixing or its leader.) Only one CBO/NGO that had participated in the April 27 election also participated in the Aizhixing-sponsored election.

- 40. CCM 秘书处拒绝接受爱知行资助的选举结果的有效性,一部分原因是已经举行了一次选举,一部分原因是爱知行没有得到 CCM 的授权让他们作为选举的召集人,一部分原因是选举由爱知行资助意味着参与者不能代表广泛的、各种来源的中国社区组织/非政府组织。The CCM Secretariat refused to accept the validity of the Aizhixing-sponsored election, partly because an election had already taken place, partly because Aizhixing had not been provided a mandate by the CCM to serve as convener of an election, and partly because it believed that the funding of the election by Aizhixing meant that the participants were not a balanced cross-section of China's CBO/NGOs.
- D: <u>我们对社区组织/非政府组织类别组选举过程的评论</u> Our comments regarding the CBO/NGO election process

对社区组织/非政府组织类别组选举过程的评论 : Comments re the CBO/NGO election process:

- 15. 根据过渡时间工作方案,CCM 应该给予 CCM 秘书处(或其他召集人)一定的指导,比如如何担任好社区组织/非政府组织类别组选举召集人这一具有挑战性的职务。The CCM should, through its Transition Plan, have given the CCM Secretariat (or some other convener) some level of guidance as to how to perform its challenging convener role for the CBO/NGO election.
- 16. 从 3 月 27 日到 4 月 10 日,CCM 秘书处能够且应该以非正式的方式更广泛地咨询社区组织/非政府组织(而不是其他类别组的组织)的意见,问问他们在 4 月 10 日通知里该说些什么。这一过程尤其重要,因为老 CCM 中并没有代表社区组织/非政府组织的成员。Between March 27 and April 10, the CCM Secretariat could and should have informally consulted more widely with CBO/NGO organizations (rather than organizations belonging to other Sectors) about what to say in the April 10 notice. This was particularly important because at that time, the CCM had no members representing CBO/NGO groups.
- 17. 4 月 10 日的通知称,根据 CCM 章程,必须是在政府合法注册的社区组织/非政府组织,但是这一点与 2006 年 2 月 26 日 CCM 第 15 次全体会议中主席和副主席的讲话精神相违背。通知应该非常清楚地说明,未注册的组织可以(作为类别组成员)参与选举其类别组的 CCM 成员,尽管他们不能当选为 CCM 成员。这样的说明很可能使参与选举的组织的数量大大地增加。The statement in the April 10 notice that CBO/NGO groups had to be legally registered with the government was compliant with the CCM TOR, but conflicted with what the Chair and Vice-Chair had said at the 15th CCM plenary meeting on 26 February 2006. The notice should have made it quite clear that un-registered organizations could participate (as sector group members) in electing their CCM members, even though they could not be elected as CCM members. Such a statement might have considerably broadened the list of organizations that participated in the election.
- 18. CCM 秘书处和参与了 4 月 27 日会议的已注册组织,感觉自己处于一种左右为难的境地。如果他们确实允许参会的未注册组织参与投票,他们将违反 CCM 章程以

及 4 月 10 日发布的会议通知。但是如果他们<u>不允许</u>这些组织投票,他们将违背 CCM 会议记录中主席和副主席做出的规定。The CCM Secretariat, and the participants in the April 27 meeting who represented registered organizations, found themselves in an impossible position. If they <u>did</u> permit un-registered organizations who attended the meeting to vote, they would be acting against the CCM TOR and against the terms of the April 10 meeting notice. But if they did <u>not</u> permit those organizations to vote, they would be acting against the ruling by the CCM Chair and Vice-Chair that was recorded in the CCM minutes.

- 19. 4月 10 日的通知应该清楚写明 4月 27 日的会议将在北京举行。The April 10 notice should have specified that the April 27 meeting would be in Beijing.
- 20. 尽管 CCM 改革过渡时期工作方案中"召集人负责制定与选举相关的程序和规则"这句话是令人困惑的,CCM 秘书处在 4 月 27 日的会议中正确地让社区组织/非政府组织自己决定选举的规则和程序。Even though the CCM Reform Transition Plan had some confusing wording stating that the conveners are to develop "relevant rules" regarding the election, the CCM Secretariat correctly permitted the CBO/NGO participants in the April 27 meeting to determine what the rules and procedures of the election would be.
- 21. 但是,CCM 秘书处没有必要要求 4 月 27 日的会议既制定选举规则,又进行选举。 4 月 27 日的会议应该只是制定选举规则。在与会的社区组织/非政府组织在制定了选举规则后,可以指定某日进行选举,也可以(如果社区组织/非政府组织愿意)指定选举通过电子邮件等远程方式进行,让更广泛的组织能够参与。However, it was not necessary for the CCM Secretariat to require that the April 27 meeting should be used both for setting the election rules and for holding the election. The April 27 meeting should have been used just for setting the election rules. The rules developed by the CBO/NGO groups participating in that meeting could then have specified another date for the election, and could (if the CBO/NGO groups wished) have specified that the election would be conducted remotely via email etc., thereby permitting broader participation.
- 22. 即使 CCM 秘书处没有资金协助支付选举费用,秘书处也可能从中国公众或者私营/人捐助者甚至从国外基金会获得。Even though the CCM Secretariat did not have funding to assist with election costs, it might have been possible for the CCM Secretariat to raise such funds from public or private donors within China, or even from a foundation outside China.
- 23. CCM 章程的修订耗时一年,但其实可以更快些。这样可以早一两个月发布 4 月 10 日的通知,也就可以使得选举的操作有更多的时间。The revision of the CCM TOR, which took over a year to complete, should have been conducted more quickly. This would have enabled the April 10 notice to have been sent out one or two months earlier, which in turn would have provided more time within which to conduct the election.
- 24. 因为 CCM 章程的修改花费了过长的时间,也就意味着选举通知不得不拖至 4 月 10 日才发布, 4 月 27 日的选举预备会议和/或实际的选举就应该在一个月或者更晚之后进行,以保证有更多的时间准备和参与。(关键的截止日期是第六轮的项目

申请必须在 8 月 3 日前提交,申请材料必须能够证明 CCM 是符合全球基金的要求的。但是,选举又不能被推得太迟,因为新当选的 CCM 成员必须要在提交第六轮项目申请前完成诸如选举 CCM 主席和副主席的一些事情。)Given that the revision of the CCM TOR took the excessive amount of time that it did, meaning that the election notice could not be sent out before April 10, the April 27 election-planning meeting, and/or the actual election, should have taken place a month or so later, thereby permitting more time for planning and participation. (The main deadline is that Round 6 proposals have to be completed by August 3, and those proposals must contain proof that the CCM is compliant with GF requirements. However, the elections cannot be delayed by too much, because the newly-elected members of the CCM then have to do certain things like elect a Chair and Vice-Chair before the Round 6 proposals can be completed.)

- 25. 如果 CCM 秘书处对每一个希望参加选举的组织进行资格审查,可能会很难,但是并不是不可能。关键问题在于 CCM 用了过多的时间修改 CCM 章程,以至于给组织一次有效的选举过程剩下非常少的时间。It would have been hard though not impossible for the Secretariat to do a thorough screening of the qualifications of each organization wishing to take part in the election. The main problem was that the CCM had taken so long to develop the CCM TOR that very little time was left for an effective election process.
- 26. 我们没有足够的时间或资源针对报名参加选举的 18 个组织中是否有一些组织应该属于其他类别组这个问题做一次深入调查。但是,根据我们对这些组织的了解,我们认为尽管其中某些组织可能和其他类别组有一些联系,但我们认为没有任何一个组织很确定地应该被划入其他类别组。We did not have the time or resources to do an in-depth investigation of whether any of the 18 organizations that registered for the election actually belonged in a different Sector. However, from our knowledge of these organizations, we think it unlikely that any of them clearly belongs in another Sector, though some might have minor connections to other Sectors.
- 27. 很遗憾,希望参加 4 月 27 日会议的社区组织/非政府组织直到 4 月 24 日才得知会议将在北京举行(尽管他们很可能猜中将在北京举行)。 It was unfortunate that CBO/NGO organizations wishing to take part in the April 27 meeting did not know until April 24 that the meeting would be in Beijing (though they probably assumed, rightly, that it would be).
- 28. 我们鼓励由 CCM 授权的以后的社区组织/非政府组织类别组选举的召集人研究是 否能从五月份由爱知行资助的选举中学到一些有用的经验。We encourage CCM-endorsed conveners of future CBO/NGO elections to study whether there are some useful lessons to be learned from the Aizhixing-financed alternative election that took place in May.
- 29. CCM 秘书处不接受爱知行资助的选举是正当的;需要强调的是,爱知行没有得到 CCM 的授权来做选举的召集人。基于这个原因,我们在此不再对爱知行资助的选举做更进一步的说明,并且也没有对那个选举是如何组织以及如何资助的做任何

进一步的调查。The CCM Secretariat's reasons for not accepting the Aizhixing-financed alternative election are valid; in particular, Aizhixing had not been provided a mandate by the CCM to serve as convener of an election. For that reason, we have not described the Aizhixing-financed alternative election in further detail here, and we have not examined in any detail how it was organized and funded.

社区组织/非政府组织类别组选举程序的透明、有记录及类别组自主拟订的程度 Extent to which the CBO/NGO election process was transparent, documented and developed within the sector

全球基金 CCM 指南上说: The Global Fund's CCM Guidelines state:

"代表非政府部门的 CCM 成员必须由其各自类别组基于各自类别组拟订的透明的和有记录的程序选出。" "CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector."

该调查是应 CCM 的要求进行的,因为有人声称社区组织/非政府组织类别组和感染者类别组 CCM 成员的选举没有遵守以上要求。Our Review was requested by the CCM because allegations have been made that the election of members for the CBO/NGO sector and the PLWHA sector did not follow these requirements.

因此,我们必须先说说"透明""有记录"以及"类别组自主拟订"是什么含义。We must first, therefore, come up with definitions of "transparent", "documented", and "developed within the sector".

<u>透明</u>: 我们对于透明的选举过程的定义是有足够数量的类别组成员(根据 CCM 章程的定义): <u>Transparent</u>: Our definition of an election process that was "transparent" is that adequate numbers of Sector Group Members (as defined in the CCM TOR):

- (d) 在充分告知的情况下获悉将于何时何地决定选举规则,以及何时何地进行选举。 Were informed, with sufficient notice, when and where the election rules would be determined, and when and where the election would take place.
- (e) 作为候选人:可以自由决定是否参加选举,能够告知投票人其优势所在。As candidates: Were free to stand for election, and were able to inform voters of what they believed their strengths were.
- (f) 作为投票人:被告知每个候选人的自己提到的他们优势,能自由投票给任何他们心仪的候选人。As voters: Were informed of what the candidates thought their strengths were, and were free to vote for whichever candidate they wished.

<u>有记录</u>: 我们对于有记录的选举过程的定义是类别组成员以及其他相关各方: <u>Documented</u>: Our definition of an election process that was "documented" is that Sector Group Members, and other interested parties:

- (c) 在选举前: 能够获得有关选举将如何进行的准确书面材料。Before the election: Had access to accurate written information about how the election would be conducted.
- (d) 在选举后: 能够获得有关选举如何进行及其结果的准确书面材料。After the election: Had access to accurate written information about how the election was conducted and what its results were.

类别组自行拟订: 我们对于类别组自行拟订的选举过程的定义是如何进行选举的规则由该类别组成员自行决定,或是由非类别组成员建议,但是由该类别组成员接受并同意。 Developed within the sector: Our definition of an election process that was "developed within the sector" is that the rules for how the election would be conducted were developed by Sector Group Members, or were proposed by people who were not Sector Group Members but were agreed to by Sector Group Members.

结论: 我们的结论是:社区组织/非政府组织类别组的选举过程是充分"由该类别组拟订的、透明的、有记录的",该类别选举的结果是有效的。但是,如在第7部分中所述,我们建议当选的 CCM 成员及"列席代表"应该仅仅任职到 2007 年 4 月 1 日。 **Conclusion:** It is our conclusion that the CBO/NGO election process was sufficiently "transparent, documented, and developed within the sector" for the election result to be regarded as valid. However, as discussed in Section 7, we recommend that the elected CCM member and "extra persons" should only serve until 1 April 2007.

我们感到社区组织/非政府组织类别组的选举仅能打一个"低的通过分",其主要原因是参与该选举的组织的数量很少,原因是: We feel that the CBO/NGO election process had only a "low passing grade". The main factor contributing to this low passing grade is that the number of organizations participating in the election was low, which in turn was because:

- (a) 在 CCM 章程中的一个条款是有缺陷的,因此,组织被不正确地告知只能注册的组织才能参与投票。(这将在附件 20 中的建议 7 中阐述。)There are weaknesses in one clause in the CCM TOR, as a result of which, organizations were incorrectly informed that only registered organizations could participate in the vote. (This is addressed in Recommendation 7, in Appendix 20, on page 56.)
- (b) CCM 给开展选举留出的时间太短了。The CCM provided too little time for the conducting of the elections.
- (c) 没有试图去为可能的与会者寻求参会资助。No means were found to finance the travel costs of potential participants in the election.
- (d) 在讨论选举规则当天就安排实际的选举, CCM 秘书处等于排除了类别组成员通

过电子邮件、传真或短信提交选票的可能性。By arranging for the discussion about election rules to be on the same day as the actual election, the CCM Secretariat ruled out the possibility of sector group members choosing to have an election involving votes submitted by email, fax, or SMS.

当然,这个选举过程存在着缺陷。但是我们没有给这个选举过程"不合格分"的主要原因是: The election was certainly flawed. But the main reasons that we did not give the election process a "failing grade" are:

- (c) 这是中国第一次举办 CCM 选举——"就如同婴孩正在蹒跚学步"。This is the first time that CCM elections have been conducted in China "the baby is learning to walk, but somewhat unsteadily".
- (d) 我们没有看到令人信服的证据表明 CCM 秘书处刻意地让哪个或者哪一类特别的候选人当选或落选。We see no convincing evidence that the CCM Secretariat was trying to cause a particular candidate, or type of candidate, to win or lose.

感染者类别组选举 The PLWHA election

D: <u>感染者类别组选举是如何进行的</u> How the PLWHA election was conducted

- 17. 2006 年 3 月 27 日的特别工作组会议上,CCM 秘书处被指定为感染者类别组选举的召集人,这符合在同日被通过的《CCM 改革过渡时期计划》。At the 27 March 2006 SWG meeting, the CCM Secretariat was appointed to serve as convener of the PLWHA election, in line with the "CCM Reform Transition Plan" approved on the same date.
- 18. 从 3 月 27 日到 4 月 12 日,CCM 秘书处没有努力就选举过程咨询感染者类别组成员的意见。CCM 秘书处确实收到了红树林感染者支持组织关于选举过程的一份详尽的建议书,该组织的负责人(李想)当时是 CCM 成员。秘书处没有采纳红树林的建议,主要原因是他们认为采用这些建议进行选举所花费的时间要比 CCM 所能接受的时间长。Between March 27 and April 13, the CCM Secretariat did not attempt to consult with multiple PLWHA sector group members about the election process. It did receive detailed suggestions regarding election process from the PLWHA organization Mangrove Support Group, whose leader (Adam Li) was at that time a CCM member. The Secretariat did not accept Mangrove's suggestions, mainly because it felt that the suggestions required more time than the CCM had made available for the elections.
- 19.4月13日,CCM 秘书处发布了一则关于感染者类别组选举的通知。秘书处邀请感染者小组和设立在各地 CDC 的全球基金项目办帮助发布该通知。On April 13, the CCM Secretariat sent out a notice about the PLWHA election. The Secretariat asked PLWHA groups, and GF project offices in local CDC offices where such offices exist, to provide help in spreading the word.

- 20. 通知随即通过多个电子邮件组发给更多的感染者,有数百名这些邮件组的注册用户收到该通知。The notice was then relayed to multiple additional PLWHAs through various email lists that have hundreds of subscribers.
- 21. 随通知附有一份申请表,有意参加选举的感染者可以按要求填写,并于 4 月 24 日 前提交到 CCM 秘书处。The notice had an application form attached, which PLWHAs could fill in stating that they wished to take part in the election. The form had to be returned to the CCM Secretariat by April 24.
- 22. 通知提到,初定于 4 月 27 日召开感染者类别组会议,"讨论选举过程和操作选举的相关事宜"。但通知中并没有说明会议将在北京举行,而是说"会议具体时间、地点将另行通知。" The notice specified that there would be a PLWHA meeting on April 27 "to discuss election procedures and conduct election." The notice did not specify that this meeting would be in Beijing. It said that information would be sent later regarding the time and location of the election meeting.
- 23. 通知上写道 "根据 CCM 过渡时期方案,CCM 秘书处将作为召集人,负责 CCM'艾滋病、结核病、疟疾患者或感染者'类别组成员代表的选举组织工作。"通知上说参会者会<u>讨论</u>选举程序,但是并没有说会<u>决定</u>选举程序。The notice said "According to the CCM Transition Plan, CCM Secretariat as a convener, is responsible for the organizational work of the … election." It said that the election procedures would be <u>discussed</u> by participants, but it did not say that the procedures would be <u>decided</u> by participants.
- 24. 通知中没有提到为参加会议者来开会提供交通方面的资助。The notice did not offer any financial support to enable participants to travel to the election meeting.
- 25. CCM 秘书接受了所有向他们递交了报名申请的感染者的报名,而没有对他们进行资格审查。When PLWHAs sent in to the Secretariat their requests to register for the election, the Secretariat accepted all of them, without checking their credentials.
- 26. 在 CCM 秘书处 4 月 25 日发布的第二则通知中提到,CCM 秘书处与已经报名参加选举的感染者联系,公布截止 4 月 24 日,有 114 名感染者报名参加选举。通知中说了选举会议的时间及地点,选举定于 4 月 27 日,也就是通知发布仅仅两天之后进行。收到通知的感染者被要求在次日,即 4 月 26 日确认他们是否参会。In its second notice, on April 25, the CCM Secretariat contacted the PLWHA that had registered to take part in the elections, announcing that 114 PLWHA had registered by the April 24 deadline. The notice provided details of time and place of the meeting that was to take place on April 27, only two days later. Recipients were asked to confirm their attendance by the following day, April 26.
- 27. 报名参加会议的 114 人在地理上分布不均。例如,北京只有 1 人,但有一个或两个 县甚至一些城镇却有 20 或 30 人。有 49 人来自河南省,40 人来自吉林省,12 人来自湖北省。有些人暗示,造成这种地理上的分布不均的部分原因是爱知行为参加会议的一些人提供资金支持。(我们将不会试图对这种看法进行调查。)The 114 people registering for the meeting were very unevenly spread, geographically. For instance, there was only one from Beijing, yet from one or two counties or even towns there were 20 or 30. There were 49 from Henan province, 40 from Jilin province, and 12 from Hubei province. It has been suggested by some that this

- imbalance was partly because Aizhixing provided financial support for some of those people to attend the meeting, on an uneven geographical basis. (We did not attempt to investigate this claim further.)
- 28. 4 月 25 日晚些时候,就在第二则通知发布后数小时,CCM 秘书处以电子邮件的形式给已报名参加会议的人发出第三则通知,通知称"为保证能公正、公平地在本类别组选举出代表广大感染者的 CCM 代表,CCM 秘书处决定取消 27 号的会议,待广泛征求意见后再重新组织选举。"(CCM 秘书处向我们解释说,这样做主要是原因他们担心参与者地理分布不均,而且解释了为什么会有这样的担心。) Late on April 25, only a few hours after its second notice, the CCM Secretariat emailed a third notice to all who had registered, stating that in order to ensure a fair and transparent process, the April 27 meeting had been cancelled, and would be re-scheduled after wide consultation. (The CCM Secretariat has explained to us that this was primarily because of its concerns regarding the uneven geographic spread of the participants, and of the reasons for this.)
- 29. 次日,即 4 月 26 日,发出第四则通知,通知上说,4 月 27 日的会议将如期召开,会议将讨论选举程序(这与此前通知相同),但不包括实际的选举。通知没有明确提到,4 月 27 日会议上关于选举程序的讨论是否会最终决定选举程序。On the following day, April 26, a fourth notice was sent out, saying this time that the April 27 meeting would take place after all, and that it would (as before) enable participants to discuss the election procedure, but that it would not include the actual election. The notice was unclear as to whether the discussion regarding election procedures at the April 27 meeting would lead to actual decisions on the subject.
- 30. 4 月 27 日的会议仅有 7 名感染者(仅是 116 名报名参加选举的人的一小部分),加上 4 家 NGO 的代表,世界卫生组织和联合国艾滋病规划署作为观察员,以及 CCM 秘书处的工作人员参加。会上,CCM 秘书处介绍了一些有关 CCM 新章程的背景信息。与会者(感染者成员以及当时没有离开的非感染者)随即讨论了可能的选举程序。会议未能就选举程序达成一致意见,仅在选举的一些总的指导方针达成了某些共识。The April 27 meeting was attended by a mere seven PLWHA (only a small fraction of the 116 who had by then registered for the election), plus representatives of four NGOs, observers from WHO and UNAIDS, and CCM Secretariat staff. At the meeting, the CCM Secretariat provided some background information about the CCM TORs. The meeting participants (PLWHA members, and the non-PLWHA who had not left the meeting by this point) then discussed possible election procedures. The meeting did not reach a firm agreed decision about election procedures; instead, it arrived at a somewhat unarticulated sense of some broad guidelines for the election.
- 31. 4 月 27 日会议之后,CCM 秘书处组织了选举。采用的选举程序很独特,也只能是这样,但是比 27 日会议上感染者达成的共识更为独特。另一方面,程序是基于 4 月 27 日的"会议精神"的,和那次会议上达成的共识也并不直接抵触。Subsequent to the April 27 meeting, the CCM Secretariat organized the election. The procedures it used were specific, as they had to be, but they were more specific than anything that had been agreed to by PLWHA at the April 27 meeting. On the

other hand, the procedures were based on the "sense of the meeting" on April 27, and did not directly contradict anything agreed to at that meeting.

- 32. 遵循的选举程序是这样的: The procedures followed were as follows:
 - 秘书处联络那些因为收到通知晚了而错过报名截止日期的感染者,并且允许他们报名参与选举过程。The Secretariat contacted PLWHA who had missed the deadline through receiving notification late and permitted them to register for the election process.
 - 秘书处联络了 116 名报名的感染者,向他们发去了一份补充信息表,请他们提供有关他们的进一步信息。(截止 5 月 9 日,有 73 人提交了补充信息表,其中 63 人集中来自三个省。) The Secretariat contacted 116 registered PLWHA, inviting them to provide additional information about themselves through a supplemental form. (73 did so by the May 9 deadline, of which 61 came from just three provinces.)
 - 第一轮投票在参与者最多的三个省中以传真形式进行,目的是把这三个省的候选人人数削减为三人。这样在最后一轮投票中就只有 21 个候选人了。A first round of voting was conducted by fax in the three provinces that had many participants, in order to narrow down the number of candidates to three in each of those provinces. This left 21 candidates for the final round of voting.
 - 第一轮的投票,大多数是通过签名的传真进行的,我们有看到了这些签名的传真件。然而,有一个省由于发生洪灾,有些投票者没有收到投票单。对于他们,允许用电话(有录音)形式投票。我们有机会听到那些电话的录音。Most voting in the first round of voting was via signed faxes, which we have seen. However, in one province there had been flooding, so voters did not receive the voting forms. For them, voting was permitted by recorded phone calls. We were offered the opportunity to listen to the recordings of the calls.
 - 最后的投票中的 21 人既是投票人,也是候选人。投票前,21 人均收到其他人的 进一步的介绍性材料。The final 21 acted as both voters and candidates.
 Before the vote, each of the 21 was sent additional biographical information about the others.
 - 得票最多的 CCM 成员的候选人的得票数是三票。这主要是因为,21 个参与者都既是投票人又是潜在的候选人,也就是说很多人投了自己一票。The most votes received by any candidate for CCM member was three. This was primarily because each of the 21 participants was both a voter and a potential candidate, meaning that many people voted for themselves.
 - 所有最后一轮投票都通过有签名的传真形式进行,我们见到了那些传真的复印件。All voting in the final round was via signed faxes, copies of which we have seen.
- 33. 投票结束后,116 名报名的感染者中的76 人(他们中的大多数或全部与爱知行有一定联系)之间互相联络。他们中的11 人随后与CCM秘书处会晤,抗议已经发生的选举的程序。他们要求举行一次新的选举,被秘书处拒绝了。After the voting was completed,76 of the 116 registered PLWHA, most or all of whom had links with

Aizhixing, got in touch with each other. Eleven of them then had a meeting with the CCM Secretariat to protest the procedures that had taken place. They asked for a new election, but the Secretariat declined.

E: <u>我们对于感染者类别组选举过程的评论</u> Our comments regarding the PLWHA election process

对于感染者类别组选举过程的评论 Comments re the PLWHA election process:

- 11. 根据过渡时期工作方案,CCM 应该给予 CCM 秘书处(或其他召集人)一定的指导,比如如何担任好感染者类别组选举召集人这一具有挑战性的职务。The CCM should, through its Transition Plan, have given the CCM Secretariat (or some other convener) some level of guidance as to how to perform its very challenging convener role for the PLWHA election.
- 12. 从 3 月 27 日到 4 月 13 日,CCM 秘书处至少能够且应该以非正式的方式咨询更多感染者个人或者组织的意见,问问他们在 4 月 13 日通知里该说些什么。Between March 27 and April 13, the CCM Secretariat could and should have informally consulted more widely with PLWHA individuals and organizations about what to say in the April 13 notice.
- 13. 4月13日的通知应该清楚写明4月27日的会议将在北京举行。The April 13 notice should have specified that the April 27 meeting would be in Beijing.
- 14. 4 月 12 日的通知应该从一开始就说明 4 月 27 日的会议将只是制定选举规则,选举将在晚些时候以远距离形式进行。The April 13 notice should have specified from the beginning that the April 27 meeting would be used just for setting the election rules, and that the election would be held later on a remote basis.
- 15. 即使 CCM 秘书处没有资金协助支付选举费用,秘书处也可能从公众或者私营/人捐助者,或者甚至是从国外的基金会申请。另外,我们相信全球基金拿出少量资金用于这样的目的也是合适的,虽然我们没有就此提出正式的建议。Even though the CCM Secretariat did not have funding to assist with election costs, it might have been possible for the CCM Secretariat to raise such funds from public or private donors within China, or even from a foundation outside China. Furthermore, we believe it would be appropriate for the GF to permit small amounts of GF funding to be used for such purposes, though we will not make a formal Recommendation on that point.
- 16. CCM 章程的修订耗时一年,但其实可以更快些。这样可以早一两个月发布 4 月 13 日的通知,也就可以使得选举的操作有更多的时间。The revision of the CCM TOR, which took over a year to complete, should have been conducted more quickly. This would have enabled the April 13 notice to have been sent out one or two months earlier, which in turn would have provided more time within which to conduct the election.
- 17. 因为 CCM 章程的修改花费了过长的时间,也就意味着选举通知不得不拖至 4 月

- 13 日才发布,4 月 27 日的选举预备会议和/或实际的选举就应该在一个月或者更晚之后进行,以保证有更多的时间准备和参与。 Given that the revision of the CCM TOR took the excessive amount of time that it did, meaning that the election notice could not be sent out until April 13, the April 27 election-planning meeting, and/or the actual election, should have taken place a month or so later, thereby permitting more time for planning and participation.
- 18. 对于秘书处来说,对希望参加选举的所有感染者做一次全面的资格审查虽然很困难,但不是不能完成的。关键问题是 CCM 用了过多的时间修改 CCM 章程,以至于给组织一次有效的选举过程剩下非常少的时间。It would have been hard though not impossible for the Secretariat to do a thorough screening of the qualifications of each PLWHA wishing to take part in the election. The main problem was that the CCM had taken so long to develop the CCM TOR that very little time was left for an effective election process.
- 19. 我们非常遗憾地看到关于 4 月 27 日会议的计划不停地变来变去。It was extremely unfortunate that plans regarding the April 27 meeting kept changing.
- 20. 在 2006 年 4 月 27 日的会议上,CCM 秘书处确实听取了感染者与会者对于选举程序的意见,但是没有充分地推动与会者实际地决定选举程序。At the April 27 meeting, the CCM Secretariat certainly solicited opinions from PLWHA participants about election procedures, but it did not sufficiently push the PLWHA participants to actually <u>decide</u> election procedures.
- 21. 4 月 27 日会议期间及此后,CCM 秘书处在一定程度上履行了 CCM 改革过渡时间工作方案有关"召集人负责(选举)相应程序和规则的制定"的规定,但是本来不应该这样做的,因为如我们在本报告其他地方所述,这条规定是不合适的。During and after the April 27 meeting, the CCM Secretariat to some extent followed the CCM Reform Transition Plan ruling that the conveners are to make "relevant rules" regarding the election, but it should not have done so, because that was an inappropriate ruling, as we discuss elsewhere in this report.

F: 感染者组织类别组选举程序的透明、有记录及类别组自主拟订的程度 Extent to which the PLWHA election process was transparent, documented and developed within the sector

结论: 我们的结论是感染者类别的选举过程是一刚刚一足够是"由该类别组拟订的、是透明的、有记录的",该类别的选举结果是有效的。如第 7 部分所述,我们建议当选的 CCM 成员和"列席代表"应该仅仅任职到 2007 年 4 月 1 日。**Conclusion:** It is our conclusion that the PLWHA election process was – just – sufficiently "transparent, documented, and developed within the sector" for the election result to be regarded as valid. As discussed in Section 7, we recommend that the elected CCM member and "extra persons" should only serve until 1 April 2007

我们感到感染者类别组选举过程仅能打一个"非常低的通过分",其主要原因是参加 4 月 27 日的选举程序咨询会的感染者人数非常少(主要由于有关这次咨询会的多个通知是混乱的),以及那些感染者并没有完全决定选举程序。We feel that the PLWHA election process had only a "very low passing grade". The main factor contributing to this is that the number of PLWHA involved in the April 27 discussion about election procedures was very low (primarily as a result of the multiple conflicting announcements about that meeting), and those PLWHA did not fully determine the election procedures.

当然,这个选举是存在缺陷的。但是我们没有给这个选举"不合格分"的主要原因是: The election was certainly flawed. But the main reasons that we did not give the election process a "failing grade" are:

- (a) 这是中国第一次举办 CCM 选举。This is the first time that CCM elections have been conducted in China.
- (b) 我们没有看到令人信服的证据表明 CCM 秘书处刻意地让哪个或者哪一类特别的候选人当选或落选。We see no convincing evidence that the CCM Secretariat was trying to cause a particular candidate, or type of candidate, to win or lose.

建议 CCM 今后应采取的恰当步骤 Recommendations as

to appropriate next steps by the CCM

建议 1: CCM 应该认为最近举行的 CCM 社区组织/非政府组织类别组选举和感染者类别组选举的结果有效。应该允许当选的 CCM 成员行使 CCM 成员的权利。

Recommendation 1: The CCM should regard the results of the recent CCM elections within the CBO/NGO and PLWHA sectors as being valid, and the CCM members who were elected should be permitted to serve as members of the CCM.

(注: 这条建议不要求 CCM 采取行动, 因为在 2006 年 6 月 5 日的 CCM 会议上, CCM 已经接受了选举结果。) (Note: This recommendation does not require action by the CCM, because the CCM accepted the results of the election at its meeting of 5 June

2006.)

建议 2: 最近在社区组织/非政府组织类别组选举和感染者类别组选举中当选的 CCM 成员和"列席代表"应该仅任职到 2007 年 4 月 1 日,而且应该在 2007 年 1 月 1 日前由各自类别组制定并发布两个类别组下一次选举的选举程序。

Recommendation 2: The CCM members and "extra persons" who were recently elected by the CBO/NGO and PLWHA sectors should only serve until 1 April 2007, and election procedures for the next election within those two sectors should be developed and announced by those sectors by 1 January 2007.

(注: 这意味着这两个类别组此后的"选举周期"要与其他各种类别组有所不同。这种做法确实存在优势,但是——这个做法却可能不能使每个 CCM 类别组同一天换新成员。) (Note: This means that the "election cycle" for those two sectors will thereafter be different from most other sectors. That could actually be an advantage, however – it might not be a good idea for every sector to have new CCM members starting on the same date.)

建议 3. CCM 主席应该鼓励最近在社区组织/非政府组织类别组和感染者类别组选举中当选的 CCM 成员在 2006 年 8 月初以书面的形式(最好也在 2006 年 7 月 28 日的 CCM 会议上以口头形式)告知他如下事项:

Recommendation 3: The CCM Chair should encourage the people who were recently elected as CCM members by the CBO/NGO and PLWHA sectors to inform him, in writing, by early August 2006 (and preferably also verbally at the 28 July 2006 CCM meeting), that:

- (a) 他们本次任期仅持续到 2007 年 4 月 1 日。They will regard their current term of office as lasting only until 1 April 2007.
- (b) 他们将在 2007 年 2 月召集各自类别组的新一轮选举,新选举采取各自类别组于 2007 年 1 月 1 日前自行制定并宣布的公开的程序,以便 2007 年 2 月当选的接任者能在 2007 年 4 月 1 日顺利交接。They will call for new elections to take place in February 2007 within their respective sectors, using transparent procedures that are developed and published by their sectors by 1 January 2007, such that the people elected in February 2007 can take office by 1 April 2007.
- (c) 他们将请求联合国艾滋病规划署或者其他中立组织协助他们召集 2007 年 2 月的选举,特别地,他们将请求中立组织(i) 主持 2007 年 2 月选举中各自类别组关于选举程序的面对面或者电子手段的讨论和决策,并且(ii) 帮助贯彻实施各类别组自己认可的选举程序。They will request UNAIDS or some other neutral organization to assist them with the convening of the February 2007 elections, and specifically, they will ask that neutral organization (i) to host in-person and electronic discussions and decision-making within their sectors regarding the electoral procedures to be used in the February 2007 elections, and then (ii) to help implement the electoral procedures that are agreed within the sectors.
- (d) 本着将 2007 年 2 月的选举办成以后全球公认的代表最佳实践的选举的目的,他们将鼓励其类别组内外的广泛各方参与到关于选举程序的讨论中来,包括一些

国际层面的参与。作为讨论的一部分,他们将邀请那些在 CCM 选举实践上贡献良多的组织,如爱知行及在中国的其他组织给出他们的建议,并且认真地考虑他们的建议。They will encourage input into these discussions regarding election procedures from a wide range of parties inside and outside their sectors, including internationally, with the objective that the February 2007 elections will subsequently be seen globally as representing best practice. As part of this, they will invite suggestions from Aizhixing and other organizations within China that have devoted considerable thought to issues of CCM electoral practice, and will carefully study those suggestions.

(e) 他们将鼓励国内外力量提供一定的资金,由联合国艾滋病规划署或者其它中立组织来管理,用于支持任何由类别组自行制定的选举程序。They will encourage domestic and international sources of funding to offer modest grants, to be administered by UNAIDS or some other neutral organization, that can be used to support whatever electoral processes are developed within their sectors.

建议 4: Recommendation 4:

- (a) 如果最近在社区组织/非政府组织类别组和感染者类别组中当选的 CCM 成员在 2006 年 8 月初以书面的形式承诺履行了建议 3 中所说的,CCM 应该通过一项 决议对他们的作为表示称赞。If the people who were recently elected as CCM members by the CBO/NGO and PLWHA sectors commit themselves, in writing, by early August 2006, to carrying out all of the steps in Recommendation 3, the CCM should pass a resolution praising this move.
- (b) 但是如果当选的 CCM 成员没有以书面形式承诺履行上述建议,CCM 全体会议 应该以三分之二多数票通过一项决议,允许这两个类别组暂时不遵循 CCM 章程中 2.10 款(该条款规定"CCM 类别组成员任期为 2 年"),旨在能够实现建议 3 中所述的同样结果。But if those CCM members do not commit themselves in writing to carrying out all those steps, the CCM plenary should pass a resolution, by a two-thirds majority, temporarily over-riding Clause 2.10 in the CCM TOR (which states "CCM members will serve for a period of 2 years") for these two sectors, and aiming for the same results as are specified in Recommendation 3.

建议 5: 如果可以证明以后仍有必要让 CCM 来指定选举的召集人的话,CCM 应该明确召集人必须仅仅是一个协助者,一定不能指定规则和程序。**Recommendation 5:** If it should prove necessary in the future for the CCM to appoint conveners for elections, the CCM should make it quite clear that the conveners must only be facilitators, and must not specify rules and procedures.

注: 更多的建议见于附件 20 和 21。所有建议的列表见于执行总结。Note: Some further recommendations are contained in Appendices 20 and 21. A full list of all recommendations is contained in the Executive Summary.

一些最终观察 Some final observations

一些最终观察: A few final observations:

- (g) 所有 CCM 都面临挑战,并都认为自己面临的问题更为不寻常,而实际情况却不见得。All CCMs face challenges, and each believes its problems are much more unusual than they actually are.
- (h) 许多 CCM 经历着"进两步,退一步"的成长模式,这是无法避免的,因为 CCM 是一个相对较新的概念,而且全球基金的一些期望/要求也在发展中。Many CCMs experience a "two steps forward, one step back" form of growth; this is inevitable given that CCMs are a relatively new concept and that the GF's expectations/requirements are evolving.
- (i) 每个 CCM 都能从别人提供的更好的建议中获益。Every CCM can benefit from activists who point out ways in which the CCM could do better.
- (j) 但是总存在着风险,如某些行动会使得一些人或机构说不值得去处理参与其中的纠纷,他们更喜欢在一个更遵循规则、更受约束的 CCM 以外的环境中做事。 But there is always the risk that such activism will lead to certain individuals or institutions saying that it's not worth the trouble of being involved and that they would rather function in a more conventional and controlled environment outside the CCM.
- (k) CCM 是合作。如果主要合作伙伴不参与,或者只是名义上地参与,合力会被极大地削弱。The CCM is a partnership. If a key partner leaves the table, or decides to be only nominally involved, the partnership can be seriously weakened.
- (I) 中国 CCM 在 6 到 12 个月后,极有可能从最近的经验中增长力量,并被众多世界上的人引以为"最佳实践"。即使现在,在 CCM 从 56 个成员削减到 22 个成员的同时,增加了而非降低了成员的"代表性"这点变化就已经非常令人瞩目了。There is every possibility that six or twelve months from now, the China CCM will have emerged with strength from its recent experiences, and will be cited by many around the world as representing "best practice". Even now, the CCM's action in going from 56 members to 22 members while increasing, rather than decreasing, the "representativeness" of its membership, is enormously impressive.

Appendices

Appendix 1: Terms of Reference of this Review

The following terms of reference were provided by UNAIDS to Bernard Rivers

Terms of Reference for an international consultant to review two disputed elections of the Country Coordination Mechanism of the Global Fund to Fight AIDS, TB and Malaria in China

At its plenary meeting held on June 5th 2006, the Country Coordination Mechanism (CCM) of the Global Fund to fight AIDS, TB and Malaria (GFATM) accepted the result of the elections of sector group representatives, but noted that the results of two elections had been disputed: those concerning (a) people living with HIV, TB or malaria, and (b) community based organizations or other NGOs.

In order to address the disputed elections in accordance with the procedures outlined in the terms of reference of the CCM, the CCM plenary established an ad hoc working group to be chaired by UNAIDS to review the process followed in the disputed elections. For the review to be perceived as fair, independent and impartial, and for the conclusions of the review not to be challenged, UNAIDS China has decided to recruit a well-known and respected international observer of the Global Fund, someone who is perceived as neutral and objective, to assist in carrying out the review.

Specific tasks to be performed:

The purpose of the proposed assignment is to review the extent to which the disputed CCM sector group elections followed a process which was transparent, documented and developed within the sector.

The specific tasks involved include the following:

- 5. Analyze the extent to which the election processes meet acceptable standards of transparency.
- 6. Review the documentation of the election processes and make an assessment of the appropriateness of the documentation.
- 7. Assess the way in which the election processes were developed and determine the extent to which these were developed within the sector.
- 8. Prepare a report summarizing the key findings of the review including recommendations for the CCM (Chair and Vice Chair) to consider

The assignment will include a review of relevant documents on the CCM elections as well as interviews with a number of stakeholders, including the China CCM Secretariat, which convened the disputed elections, NGOs and people living with HIV, TB or Malaria who participated in the elections as well as those who did not participate in the elections.

In making a determination as to whether the disputed CCM sector group elections should be deemed acceptable or not, comparisons should be made with processes followed in other sector group elections in China.

As part of the assignment, the consultant is also requested - to the extent possible - to collect information on the overall experience of and procedures for electing CCM members and to suggest modifications, as necessary, to further improve future elections.

The following terms of reference were provided by UNAIDS to Qiu Renzong

Terms of Reference for a national consultant to review two disputed elections of the Country Coordination Mechanism of the Global Fund to Fight AIDS, TB and Malaria in China

At its plenary meeting held on June 5th 2006, the Country Coordination Mechanism (CCM) of the Global Fund to fight AIDS, TB and Malaria (GFATM) accepted the result of the elections of sector group representatives, but noted that the results of two elections had been disputed: those concerning (a) people living with HIV, TB or malaria, and (b) community based organizations or other NGOs.

In order to address the disputed elections in accordance with the procedures outlined in the terms of reference of the CCM, the CCM plenary established an ad hoc working group to be chaired by UNAIDS to review the process followed in the disputed elections. For the review to be perceived as fair, independent and impartial, and for the conclusions of the review not to be challenged, UNAIDS Beijing has decided to recruit a well-known and respected Chinese academic, someone who is perceived as neutral and objective, to assist in carrying out the review.

Specific tasks to be performed:

The purpose of the proposed assignment is to review the extent to which the disputed CCM sector group elections followed a process which was transparent, documented and developed within the sector.

The specific tasks involved include the following:

- 1. Analyze the extent to which the election processes meet acceptable standards of transparency.
- 2. Review the documentation of the election processes and make an assessment of the appropriateness of the documentation.
- 3. Assess the way in which the election processes were developed and determine the extent to which these were developed within the sector.
- 4. Contribute to a report summarizing the key findings of the review including recommendations for the CCM (Chair and Vice Chair) to consider

The assignment will include a review of relevant documents on the CCM elections as well as interviews with a number of stakeholders, including the China CCM Secretariat, which convened the disputed elections, NGOs and people living with HIV, TB or Malaria who participated in the elections as well as those who did not participate in the elections. The consultant is expected to work together with an international observer with particular experience of the work of the Global Fund.

In making a determination as to whether the disputed CCM sector group elections should be deemed acceptable or not, comparisons should be made with processes followed in other sector group elections in China.

As part of the assignment, the consultant is also requested - to the extent possible - to collect information on the overall experience of and procedures for electing CCM members and to suggest modifications, as necessary, to further improve future elections.

Appendix 2: Biographical Details, Bernard Rivers

Bernard Rivers is Executive Director of Aidspan, and Editor if its *Global Fund Observer* newsletter, which is subscribed to by 10,000 people in 170 countries. Aidspan is a US-registered tax-exempt nonprofit organization whose mission is to reinforce the effectiveness of the Global Fund by serving as an independent watchdog of the Fund, and by supporting organizations and governments in developing countries that wish to obtain and make effective use of Global Fund financing.

Aidspan finances its work primarily through grants from foundations, and does not accept Global Fund money. By early 2007, Aidspan plans to move its principal base (and Bernard's primary home) from New York to Nairobi, Kenya. Most new Aidspan employees will be citizens of developing countries.

Among the publications available from the Aidspan web site (www.aidspan.org) are "The Aidspan Guide to Building and Running an Effective CCM", "The Aidspan Guide to Effective Implementation of Global Fund Grants (Volume 1): From Grant Approval to Signing the Grant Agreement", and "The Aidspan Guide to Round 6 Applications to the Global Fund."

Aidspan has sent Bernard on several visits to China, Kenya and Nigeria to help the CCM's of those countries think through governance and related issues.

Aidspan is providing Bernard's time for this China consultancy on a pro bono basis.

Bernard Rivers

Email: Rivers@aidspan.org
When in Beijing: 1391-919-8571
New York: +1-212-662-6800

Appendix 3: Biographical Details, Qiu Renzong

- Professor of Bioethics, Institute of Philosophy, Honorary Director, Center for Applied Ethics, Chinese Academy of Social Sciences
- Professor, Center for Bioethics, Peking Union Medical College
- Professor, Health Science Center, Peking University
- Professor and Director, Center for Bioethics, Central China University of Science and Technology

Prof. Qiu is the Member of Ethics Committee, the Ministry of Health (2000-); Member of Expert Committee on Health Policy and Management, Ministry of Health (2002-); Member of National Expert Committee on AIDS/HIV (2004-); Chair of Ethics Committee, National Human Genome Research Center (2002-); Director of the Ford Project of Reproductive Health and Ethics in China (1993-); Member of the Committee on Ethical Aspects of Reproductive and Women Health, FIGO (2005-), Fellow of The Hastings Center (2006-); Member of the Reference Group of Human Rights, UNAIDS; President of the 2006 World Congress of Bioethics (2005-2006).

Prof. Qiu was Adjunct Professor, Department of Philosophy, Georgetown University, USA (1998); Visiting Professor, Program in Medical Ethics & Department of Philosophy, University of Wisconsin-Madison, USA (1989.-1990); Visiting Professor of British Academy (1990); Member, Board of Directors, International Association of Bioethics (1992-1998); Member, International Bioethics Committee, UNESCO (1993-1997); Assessor, Executive Committee, International Union for History and Philosophy of Science/Division of Logic, Methodology and Philosophy of Science Gender (IUHPS/DLMPS) (1995-1999); Member, Advisory UNDP/UNFPA/WHO/World Bank(1995-1998); Member of Ethics Committee, Human Genome Organization (HUGO,1996-2004); President of Asian Bioethics Association (2002-2004); 2002 Winner of World Technology Network (WTN) Award Ethics (in New York); Member of the ELSI Committee, International HapMap Project (2003-2005).

Prof. Qiu is the author or co-author of the books: *Bioethics* (1987,1988), *Patients' Rights* (1996), *Reproductive Health and Ethics* (editor, 1996, 2006), *AIDS, Sex and Ethics* (1997,1999), *Chinese Women and Feminist Thought* (co-editor, 1999), *An Introduction to Bioethics* (2003, 2005), *Biomedical Research Ethics* (2003), *Bioethics: Asian Perspectives* (editor, in English, 2004), *Feminist Philosophy and Public Policy* (editor, 2004), *Bioethics: Feminist Approaches* (editor, 2006), and published more than 300 articles or chapters on bioethics or philosophy of science in Chinese, French, German, Japanese, Romanian, Spanish, UK, USA journals and books.

Prof. Qiu is also the translator of Karl Popper's writings including *Unended Quest, The Logic of Scientific Discovery, The Poverty of Historicism*.

Mailing Address:

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renzong@gmail.com

Appendix 4: Avoidance of Conflicts of Interest

In this section, we openly declare any prior relationships between Bernard Rivers, Qiu Renzong, and the various people who they interviewed as part of this Review.

Bernard Rivers and Qiu Renzong did not know each other prior to being asked to conduct this Review.

Bernard Rivers has known Ren Ming Hui, CCM Chair, and Prof. Qiang Zheng-Fu, CCM Secretary, since 2003, and Wan Yanhai since early 2005. There have been no financial links between Bernard (or his organization, Aidspan) and any of these people or their organizations.

Both Aidspan and Aizhixing have received grants from Open Society Institute (OSI). Bernard Rivers has not discussed this project with OSI, and will not do so prior to completion of the final version of this report.

Aidspan is providing Bernard's time at no charge for this project, in order to avoid the conflict of interest that might conceivably arise if his time was paid by a funding source that might have an interest in the outcome of this review.

In November 2004, the CCM agreed to commence some reforms (and to create new TORs to reflect these reforms) in order to improve its efficiency and to ensure that the CCM remained compliant with evolving Global Fund requirements. Bernard Rivers was asked to provide a number of suggestions regarding these reforms. Further work was done by the CCM over several months, and the CCM adopted a number – but not all – of the suggestions that Bernard Rivers had made.

Qiu Renzong has been an outside member of the Ethics Review Committee (ERC) of the Centre for AIDS/STDs Prevention and Control, which is affiliated with China CDC. The ERC's mission is to review and approve the protocols submitted by researchers working for China CDC.

Qiu has known Wan Yanhai since 1992, and has met him many times at meetings on AIDS issues.

Neither Qiu nor his institution, the Institute of Philosophy, Chinese Academy of Social Sciences, has any financial relationship with China CDC or with Wan Yanhai or with Aizhixing.

Appendix 5: Methodology Followed

The following document was sent on 16 July to the "interested parties" described below, except for one or two for whom we did not have email addresses. Earlier versions were sent to many of the same people.

Planned methodology for consultant review of China CCM election

Bernard Rivers, Executive Director, Aidspan and Qiu Renzong, Honorary Director, Center for Applied Ethics, Chinese Academy of Social Sciences.

12 July 2006, updated 16 July 2006

We have been asked to conduct a Review of the CCM membership elections that took place recently within two sector groups of the China CCM. The TOR that were provided to one of us (Bernard Rivers) are provided in Appendix 1.

The methodology we will follow in conducting our Review is described below. To strengthen the chances that the CCM will accept the findings of the Review, it is important that all the interested parties accept the Review's methodology. (By "interested parties", we mean the people we interview, plus CCM Chair and Vice-Chair, plus members of the CCM Ad Hoc Working Group, plus the Global Fund.) Accordingly, we request all the interested parties to email Bernard Rivers (rivers@aidspan.org) and Qiu Renzong (qiurenzong@hotmail.com) by 6 pm Beijing time on Monday 17 July stating whether they accept the methodology as described below and, if they do not accept the methodology, to state why not. If we do not hear from certain parties by that time, we will assume that those parties accept the methodology. Our report will state, for each party, whether or not they accepted the methodology, and if not, why not.

We plan to proceed as follows:

- July 11-15: Review documentation, and interview various interested parties.
- July 16-17: Prepare Draft Report.
- July 18, morning: Send Draft Report to the parties we have interviewed, plus CCM Chair and Vice-Chair, plus members of the CCM Ad Hoc Working Group, plus the Global Fund.
- July 18, morning: Bernard Rivers leaves China.
- July 18, morning, to July 25, 9 pm (Beijing time): Parties we have sent the Draft Report email us their comments, if any, on the Draft Report.
- July 26-30: Prepare Final Report.

 By July 31, 9 am Beijing time: Send Final Report to all parties who were sent the Draft Report, and make the report public. [Note added later: Because there will be a CCM meeting on the afternoon of July 28, we will make every effort to send our Final Report by July 27, 9 am Beijing time.]

People to whom we send the Draft Report may share it with their close colleagues, but we strongly request them not to disseminate it further via email lists, websites, etc. The reason for this is that it is always possible that the Draft Report contains minor factual errors, errors of translation, or recommendations that we decide to modify slightly as a result of further thought and feedback. On the other hand, the Final Report will be a totally public document.

The main sections in the Report will be:

- I: Introduction
- J: Background to the elections
- K: Events following the elections
- L: Our description, based on the interviews and the document review, of how the elections were conducted.
- M: Our assessment of the strengths and weaknesses of the election process.
- N: Our assessment of the extent to which the elections process was transparent, documented and developed within the sector.
- O: Our recommendations as to appropriate next steps by the CCM and by the parties involved in the elections in question.
- P: Our recommendations as to what changes (if any) should be made to the CCM TOR and/or to the procedures to be followed in future CCM elections.

Appendices:

- (i) Terms of Reference
- (j) Biographical Details, Bernard Rivers and Qiu Renzong
- (k) Avoidance of Conflicts of Interest
- (I) Methodology Followed
- (m) People Interviewed
- (n) Documents Reviewed
- (o) Statements submitted in writing by various people we interviewed, plus translations into English when those statements were provided in Chinese
- (p) Plus possibly more

We invite the parties we interview to submit to us, by 6 pm Saturday 15 July, a written statement regarding any or all of (D) through (H) above. (People who did not receive this methodology document until later than this deadline can, if they wish, request from us a

deadline of some agreed time on July 17.) The statement to be submitted to us can be up to five pages long (but shorter than that is preferred), and the statement can contain attachments providing additional or background information. We will include such statements (but not the attachments) in our report. The statements can be provided in English or Chinese. Our report will be in English, so any statements provided to us in Chinese will be translated into English for our report. There is no obligation to provide such a statement; but interviewees who wish to provide such a statement are welcome to.

We will base our report, and its findings and recommendations, only on the following:

- Interviews conducted with people listed in Appendix (e)
- Statements provided to us by those people, as reproduced in Appendix (g).
- Documents listed in Appendix (f), most or all of which will be provided by the people listed in Appendix (e). (Each document listed in Appendix (f) will state who provided the document.) These documents will be of the following two types:
 - (iii) Documents that are in the public domain, and/or that anyone can obtain from whoever provided the document to us.
 - (iv) Documents that are not in the public domain. For any such document, we will state in Appendix (f) why whoever provided the document chose not to put it in the public domain. Our believe is that the only documents that should not be in the public domain are documents that contain personal information such as contact information of people living with the diseases, names of which people voted for which candidate, etc.

附件 6: 走访的人士 Appendix 6: People Interviewed

李想, 红树林 Adam Li, Mangrove Support Group, plwha@126.com

爱辉, 鞍山同志社区工作组 Ai Hui, Vol. Working Team for Homosexual Community in Anshan, aihui7777@sina.com

常坤, 雪莲花项目 Chang Kun, Snowlotus Project, xinjiangaids@163.com

崔娟 (音译), CCM 秘书处 Cui Juan, CCM Secretariat, <u>cuijuan@chinaglobalfund.org</u> 胡 一 云 (音 译), CCM 秘 书 处 Hu Yiyun, CCM Secretariat, yiyunhu@chinaglobalfund.org

贾平,东北健康教育中心 Jia Ping, Northeastern Center for Health and Education, ipfree@163.com

李喜阁, 爱源汇 Li Xige, Lovingsource, <u>lixige666@163.com</u>

刘剑英(音译),北京红丝带中心 Liu Jian Ying, Beijing Red Ribbon Center, liujian.ying1111@sina.com

陆军,公民健康状况与受教育权工作组 Lu Jun, Civic Health Status and Education Rights Working Group (email not known)

Meiqi Hu, 卫生部 Meiqi Hu, Ministry of Health, humq@moh.gov.cn

欧迪龙 ,中国艾滋病资讯 Odilon Couzin, China AIDS Info, <u>odilon@china-aids.org</u> 强 正 富 , CCM 秘 书 处 Qiang Zhengfu, CCM Secretariat, zfqiang@chinaglobalfund.org

任明辉,卫生部,CCM 主席 Ren Ming Hui, Ministry of Health, CCM Chair, renmh@moh.gov.cn

申洁勇, 76 名感染者代表 Shen Jieyong, representative of 76 PLWHAs, shenjieyong@hotmail.com

Thomas Cai , 爱 之 关 怀 中 国 Thomas Cai, AIDS Care China, <u>aidscarecn@hotmail.com</u>

田喜, 感染者 Tian Xi, PLWHA (email not known)

万延海,爱知行健康教育研究所 Wan Yanhai, Aizhixing Health Education Institute, wanyanhai@hotmail.com

武薇 (音译), CCM 秘书处 Wu Wei, CCM Secretariat, <u>wuwei@chinaglobalfund.org</u> 郭雅琦,北京纪安德健康教育研究所 Yaqi Guo, Beijing Gender Health Education Institute, <u>yaqiquo@hotmail.com</u>

邹 Yunduo, CCM 秘书处 Zou Yunduo, CCM Secretariat, zouyd@chinaglobalfund.org

Appendix 7: Statement by CCM Secretariat (in Chinese)

- 7. 中国 CCM 成立于 2002 年,根据自身的特色和中国的实际情况,创造性地开展工作,制定出全球基金第一个 CCM 章程;成立艾滋病、结核病和疟疾三个专项工作组;主动提出和邀请国际独立机构对中国 CCM 进行评估,提出改革方案。这些都为全球基金制定 CCM 指导意见提供了宝贵的经验,作出了贡献。
- 8. 中国 CCM 新成员的选举,完全是按照"中国 CCM 改革过渡时期工作方案"进行的。该工作方案经中国 CCM 第十五次全体会议(2006 年 2 月 20 日)原则通过,特别工作组会议(2006 年 3 月 27 日)布置确定。
- 9. 根据特别工作组会议(3月27日)安排,由卫生部召集政府部门成员的选举,中国CDC 召集专业和教育机构的选举,中国红十字会召集人民团体的选举,中国性艾协会召集社会团体的选举,UNAIDS 召集国际非政府组织的选举,WHO 召集国际多边机构的选举,英国 DFID 召集国际双边机构的选举,秘书处召集中国以社区为基础的组织或其他非政府组织、私有/公有企业及感染者的选举。

各召集单位在规定的时间内都是以发书面通知、传真、电话和网上公布消息的形式召集 各类别组成员报名参加选举工作、然后召开会议;而选举的方法、程序都由各类别组参 加选举的代表自己讨论决定,选出自己的代表。

- 10. 中国 CCM 的选举是完全符合规定的,选举过程是公开、透明和公正的。中国 CCM 第十六次全体会议正式确认了 CCM 新成员的选举结果。
- 11. "中国 CCM 改革过渡时期工作方案"没有明确 CCM 成员选举的操作程序,原因在于:
 - (1) CCM 新的改革机制是个新事物,没有先例可循,是在摸索中进行的,难免会有 考虑不足之处:
 - (2) 全球基金对 CCM 的指导意见也没有明确提出各类别成员选举产生的操作程序,但他们又把中国 CCM 改革的完成与否作为第五轮项目协议签署的前提条件,时间上的限制和中国的实际情况不可能让中国 CCM 在短时间内,考虑周全在中国大规模范围内的选举方式;
 - (3) 目前中国的所谓"草根组织"处于初期发展阶段,良莠不齐,也不规范,还没有出现真正具有号召力、影响力的草根组织中的核心组织。因此要在短时间内设计出一套较为完整的、切实可操作的"以社区为基础的组织或其他非政府组织"的选举方式和程序基本上是不可能的;
 - (4) 正是认识到这些原因,中国 CCM 决定对已完成的选举工作进行评估,提出改进意见,更好地完善 CCM 今后的选举工作。
- 12. 中国 CCM 的改革,最终目的是为了能在中国更好地开展全球基金项目,它要为中国全球基金项目保驾护航,它的改革进程不能影响中国全球基金项目的按计划顺利进行和完成。因此,中国 CCM 的改革(包括选举),只能是循序渐进的过程,通过发展,不断改进和完善。

Qiang Zhengfu

July 14, 2006

Appendix 8: Statement by CCM Secretariat (translation to English)

- 7. China CCM was established in 2002 and operated according to the local condition and its own characteristics. China CCM developed the first TOR of the Global Fund; formed three working groups: one for AIDS, one for TB and one for malaria; initiated and invited international independent agency to assess its work and proposed a reform plan of the CCM. All of this work provided valuable experiences and made contributions to the development of guidelines for CCM by the Global Fund.
- 8. Election of new members to the China CCM followed strictly the China CCM Transition Plan, which was endorsed in principle by the 15th plenary session (February 20, 2006) of China CCM and the election was conducted based on the arrangement made at the special working group meeting held on March 27, 2006.
- 9. According to the arrangement of the special working group held on March 27, 2006, the CCM Secretariat was the conveners of the community based NGO and or other NGO sector election and the PLWHA sector election. The conveners for various sectors' election announced the written notice through fax, telephone, and email and through website regarding applications for sectors' election in the scheduled time, and conducted meetings. Procedures and process of elections were determined by the voters themselves in the respective sectors through discussions and consultations among themselves and the sector voters themselves elected the representatives to the CCM.
- 10. The election of representatives to China CCM was in full compliance with the principle, and the election process was transparent, public and fair. The 16th plenary meeting of the CCM recognized the results of the elections of new members to the CCM.
- 11. The China CCM Transition Plan did not specify operational procedures for the election, because:
 - 1) The reform was new to the CCM, there was no previous example to follow. The reform was carried out in a way of exploring, therefore, shortcomings were inevitable:
 - 2) The Global Fund guidelines on CCM did not specify operational procedures for sectors' election and the completion of China CCM reform was imposed by the Global Fund as a pre-condition for signing of the agreement for the Round 5 programme. Due to time constrains, and the Chinese condition, it was impossible for China CCM to consider an election with wide geographic coverage.
 - 3) The so-called grass root NGOs were at the early stage of development in China. The performance and operation of these NGOs varied to a certain degree. None of these NGOs had enough influential force, therefore, it was basically impossible to come up a better, and more feasible election methods and procedures for the election of representatives from the sector of community based NGOs and or other NGOs.
 - 4) Based on the recognition of the above reasons, China CCM decided to conduct a review of the elections and to develop a proposal for improving and betterment of

future elections of the CCM.

12. The ultimate objective of CCM reform was to better implement the Global Fund projects in China, and to protect the Global Fund projects in China. The progress of the reform should not influence the smooth implementation and completion of these projects as planned, therefore, the reform of China CCM, including elections shall only be regarded as a process that will be improved as it goes along.

Qiang Zhengfu July 14, 2006

Appendix 9: List of Document Provided by CCM Secretariat (English)

Documents provided by CCM Secretariat	Available to Public?
General documents	
Briefing on China CCM Reform and Members Selection: Background on China CCM reform Procedures on China CCM reform Introduction on new CCM TORs CCM transition plan on CCM member selection CCM member selection Briefing on CBO/NGO sector member selection (See Appendices 16 and 17) Briefing on PLWHA sector member selection (See Appendices 18 and 19)	Yes
Terms of Reference: China CCM (27 March 2006)	Yes
Report on CCM Member Selection Process (printout of a PowerPoint presentation)	Yes
China CCM Reform Transition Plan	Yes
Minutes of GFATM China CCM 15 th Plenary	Yes
Minutes of SWG meeting of China CCM for the GFATM Project (drafted by Secretariat based on SWG meeting of March 27)	Yes
Note for the Record: Nomination of an International NGO or Foundation Representative	Yes
Documents related to election of PLWHA sector group	
Notice of election for PLWHA sector group (1) and application form 2006.04.13	Yes
Notice of election for PLWHA sector group (2)2006.04.25	Yes
Notice of postponing the election 2006.04.25	Yes
Notice of meeting to collect options on election for PLWHA sector group 2006.04.26	Yes
Registration sheet for the meeting of collecting options 2006.04.27	No
Meeting minutes 2006.04.27	Yes
Contact information of participants 2006.04.27	No
Supplemented information form and instruction on form filling out	Yes
Voting sheet of pre-election for Hubei, Henan and Jilin province (Including votes from those who have no election right, since they didn't submitted supplemented form), and summary table	l No
Instruction for PLWHA election, voting sheet, candidate introduction, and application sheet for CCM Working Groups	No
Voting sheet received (20 votes except for Shen Jieyong who could not be reached during this period);	No

Documents provided by CCM Secretariat	Available to Public?
Summary table for votes and application for CCM working groups; Votes from those who are not eligible for election	No
Application sheet for CCM working groups and application from those who are not eligible for election	No
Documents related to the disputed person: Cai Hong	No
Documents related to election of CBO/NGO sector group	
Notice for election of CBO/NGO sector group (1) and application form 2006.04.10	Yes
List of NGOs informed	Yes
Application form received	No
Notice for election (2) 2006.04.24	Yes
Registration sheet for CBO/NGO election meeting 2006.04.27	Yes
Contact information of NGOs who have submitted applications	Yes
Application Sheet for joining CCM Working Groups	Yes
Voting sheet: Round 1, Round 2, Round 3	No
Summary table for voting, signed by participants	No
Confirmation and qualification of selected CCM member, and attending observers: Ai Zhi Yuan Zhu Center for Health and Education (CCM member), Center for the development of Liang Shan Yi Women and Children, Beijing Home of Red Ribbon.	Yes

Appendix 10: Statement by Wan Yanhai (in Chinese)

北京爱知行研究所关于 2006 年 4 月 27 日"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议的声明(第一篇) 万延海 北京爱知行研究所所长 2006 年 7 月 14 日星期五

鉴于独立调查员 Bernard Rivers 先生、邱仁宗教授 2006 年 7 月 12 日在和北京爱知行研究所及其它组织和人士访谈中承诺:独立调查员的正式调查报告将只引用书面且可公开的报告材料,并承诺将在下周公开其初步报告和相关证词,提供公众 2-3 周时间进行评论,从而确保最终报告可靠(有录音为证);鉴于 2006 年 7 月 13 日中午从独立调查员处接收到的关于调查方法的文件中并不包含上述明确的对证据引用的说明,文件只是含糊地说"We invite the parties we interview to submit to us, as soon as possible, in writing, any input they wish us to take into consideration regarding any or all of (a) through (e) above. It is possible, but not certain, that we will attach some or all of this input in the form of appendices to our report."因此,北京爱知行研究所暂不对独立调查员的调查方法和程序进行肯定或否定的评论。同时,我们将督促独立调查员们尽快提出一份完善的、对证据公开化做出明确承诺的调查方法说明文件。

今天,我代表北京爱知行研究所向 Bernard Rivers 先生和邱仁宗教授表示:北京爱知行研究所认为,2006 年 4 月 27 日"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议无效,理由和证据如下:

- 20、2006年3月27日最终通过的中国全球基金项目国家协调委员会(CCM)章程(试行)和2006年4月27日发生的、"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议中出现的"以社区为基础的组织或其它非政府组织"概念,相当于全球基金中国国家协调委员会章程(征求意见稿及其修改稿)(全球基金中国国家协调委员会秘书处、2005年12月22日)和2006年4月27日中国全球基金项目国家协调委员会秘书处强正富在该类别选举会议上使用的"草根组织"概念。
- 21、全球基金理事会要求全球基金秘书处在 2006 年 9 月 30 日之前和各个获得批准的第五轮项目签署赠款协议,全球基金秘书处建议中国在 2006 年 7 月 1 日之前签署赠款协议,中国方面原本希望在 2006 年 4 月底完成 CCM 成员选举、从而可以在 4 月底全球基金第十三届理事会大会期间签署赠款协议。
- 22、全球基金理事会第九届大会 2004 年 11 月通过决议,规定:代表非政府部门的 CCM 成员必须由其所在的(每个)部门根据各自制定的、有记录的和透明的程序自行挑选或选举产生。并且,国家协调委员会是否遵守这些要求将用于决定第五轮全球基金申请和第二阶段项目拨款申请的资格。
- 23、鉴于上述原因,原本可以有半年时间完成的 CCM 类别成员选举工作,被全球基金秘书处在加快赠款过程的思想支配下,人为地减少 3 个月,随后又被中国方面人为地减少 2 个月。
- 24、中国全球基金项目国家协调委员会章程(试行)2006年3月27日通过后,到CCM秘书处2006年4月10日向"以社区为基础的组织或其它非政府组织"类别成员发布CCM类别代表选举会议期间,CCM秘书处没有主动告诉该类别组选民有关选举的信息。时间再次被人为地减少2个星期。
- 25、从2006年4月10日CCM秘书处发布"以社区为基础的组织或其它非政府组织"类别组CCM成员选举会议通知,到2006年4月27日CCM秘书处召集该类别组选举会议,作为CCM大会授权的类别组选举召集人,中国"以社区为基础的组织或其它非政府组织"类别成员只有

- 17天的时间准备选举相关事宜。
- 26、中国 CCM 在 2006 年 3 月 27 日通过新章程并授权 CCM 秘书处作为中国"以社区为基础的组织或其它非政府组织"类别组召集人之前,我们没有看到 CCM 公开与该类别组成员商讨该类别组 CCM 成员选举方式。
- 27、中国 CCM 在 2006 年 3 月 27 日通过新章程并授权 CCM 秘书处作为中国"以社区为基础的组织或其它非政府组织"类别组召集人后,到 CCM 秘书处 2006 年 4 月 10 日发布该类别组选举会议通知之前,我们没有看到 CCM 秘书处公开与该类别组成员商讨该类别组 CCM 成员的选举方式。
- 28、中国 CCM 在 2006 年 3 月 27 日通过新章程并授权 CCM 秘书处作为中国"以社区为基础的组织或其它非政府组织"类别组召集人,但是过去的这个 CCM 并没有该类别组的代表。
- 29、2006年4月10日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",声明报名截止日期:2006年4月20日,本类别组选举者和被选举者需符合以下条件:在中国合法注册的以社区为基础的组织或其它非政府组织(内部会议上常称为"草根组织")。
- 30、2006年4月24日,CCM 秘书处发布"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议通知",称"自2006年4月10日中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(以下简称CCM)秘书处发出"CCM 以社区为基础的组织或其它非政府组织代表选举的通知"以来,得到了热心艾滋病、结核病和疟疾防控事业、关心支持中国CCM工作的以社区为基础及其他非政府组织的热情响应。截至4月22日,报名参加本类别组组织有16个。"
- 31、2006年4月27日上午9:00在北京召开该类别组选举会议, 获悉有18个组织报名参加了这次会议, 如下:
- 1) 北京佑安医院—爱心家园
- 2) 北京市红丝带之家
- 3) 哈尔滨心相印红丝带志愿者工作组
- 4) 沈阳爱之援助健康咨询服务中心
- 5) 辽宁省鞍山同志社区志愿者工作组
- 6) 成都同乐健康咨询服务中心
- 7) 北京纪安德咨询中心
- 8) 四川省凉山彝族妇女儿童发展中心
- 9) 北京市朝阳区康众卫生教育服务中心
- 10) 陕西省妇女理论婚姻家庭研究会
- 11) 云南生育健康研究会
- 12) 紫贝尔艾滋病社会教育中心
- 13) 日照华科发明技术研究所
- 14) 红树林支持组织
- 15) 北京知爱行信息咨询中心
- 16) 智行基金会
- 17) 中国艾滋病资讯
- 18) 朝阳华人 AIDS 干预工作组
- 32、仅仅根据 CCM 秘书处在不同阶段公布的材料来看,我们看到一些明显的问题:
 - 1) 4月24日发布的选举会议通知上称:截至4月22日,报名参加本类别组选举的组织有16个。但是,4月27日上午参加选举会议时获悉报名参选组织有18个。对参选组织数

目的变化, CCM 秘书处对此没有做出解释。

- 2) 4月10日发布的选举通知上明确报名截止日期是2006年4月20日,但是4月24日发布的选举会议通知上说"截至4月22日,报名参加本类别组组织有16个。"对报名截止日期的变化,CCM秘书处没有做出解释。
- 33、显然,CCM 秘书处对上述变化没有作出公开解释的方式,违反本次选举中的"透明和有记录方式"的要求。
- 34、北京爱知行研究所(正式注册名为:北京知爱行信息咨询中心)2006年4月27日参会代表 多次提出对参会代表的资格进行认证,被拒绝。我们的代表指出一些组织为官方背景,不符 合本类别组的性质,应该到其他类别组参选,比如:北京市朝阳区康众卫生教育服务中心; 我们的代表提出一些组织没有注册,不符合本次选举会议对参会组织必须是注册组织的规 定,比如:哈尔滨心相印红丝带志愿者工作组、辽宁省鞍山同志社区志愿者工作组、朝阳华 人 AIDS 干预工作组、红树林支持组织和北京佑安医院一爱心家园。
- 35、2006 年 4 月 10 日发布的该类别组选举会议通知上明确规定:根据 CCM 章程,本类别组选举者和被选举者需符合以下条件:1)在中国合法注册的以社区为基础的组织或其它非政府组织:3)在中国从事艾滋病、结核病和疟疾防控的工作。
- 36、2006 年 4 月 27 日上午 11 点左右,在多次劝说暂缓选举后,与会代表决定选举;在选举开始后,北京爱知行研究所代表宣布退出这个选举,并随后发布公开声明,认为本次选举违反全球基金第九届理事会关于 CCM 组成和产生方式的决议,也违反"中国全球基金项目国家协调委员会"章程、违反"中国全球基金项目国家协调委员会秘书处"发布的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知",并认为本次选举存在严重的不透明、不公正、有双重标准,组织者有很多的随意性。
- 37、后来,我们发现了代表身份方面更多的问题,比如:
 - 1) 一些研究组织参加了这个会议,比如:陕西省妇女理论婚姻家庭研究会、云南生育健康研究会、日照华科发明技术研究所;
 - 2) 一些医疗机构开展的感染者关怀项目作为独立组织参加了这次会议,而这些医疗机构也有参加其他类别组选举的,比如佑安医院和地坛医院分别参加了学术和教育类别的选举,其下属的感染者关怀项目北京佑安医院—爱心家园和北京市红丝带之家(地坛医院办)参加了本类别组的选举。
- 38、2006 年 4 月 29 日,北京爱知行研究所万延海等人访问 CCM 秘书处强正富等人,建议重新组织本类别组选举,否则北京爱知行研究所将有意联合草根组织共同组织本类别组选举;2006 年 5 月初,万延海给强正富打电话,被告知 CCM 秘书处和卫生部商量后决定坚持2006 年 4 月 27 日的选举结果。

(本声明如果出现不同于爱知行研究所或万延海以往声明的,以本声明相关立场和证据说明为准。附录文件供参考。)

附录:

- 1、全球基金中国国家协调委员会章程(征求意见稿的修改稿)(全球基金中国国家协调委员会秘书处、2005年12月22日)(3TORs)
- 2、中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会工作章程(试行)(中国全球基金项目国家协调委员会、2006年3月27日通过)(3TORs)
- 3、中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举的通知(中国全球基金项目国家协调委员会秘书、2006 年 4 月 10 日)

(docu-20060503)

- **4、中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议通知**(中国全球基金项目国家协调委员会秘书处、2006 年 4 月 24 日)(docu-20060503)
- 5、关于北京知爱行信息咨询中心(又名北京爱知行研究所)参加 2006 年 4 月 27 日全球基金"中国 CCM 秘书处"(中国 CDC)组织的"中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会以社区为基础的组织或其它非政府组织代表选举会议"的立场声明(北京爱知行研究所、2006年 4 月 26 日发布)(docu-20060426)
- 6、北京爱知行研究所退出全球基金中国 CCM 以社区为基础组织类别组代表选举的声明(北京爱知行研究所、2006年4月27日)(docu-20060427)
- 7. Planned methodology for consultant review of China CCM election (Bernard Rivers, Executive Director, Aidspan and Qiu Renzong, Honorary Director, Center for Applied Ethics, Chinese Academy of Social Sciences. 12 July 2006) (planned methodology)

北京爱知行研究所关于 2006 年 4 月 27 日"中国全球基金项目国家协调委员会秘书处"作为"以社区为基础的组织或其它非政府组织"类别组召集人组织的选举会议的声明(第二、三篇)

第二篇:中国全球基金项目 CCM 以社区为基础组织或其他非政府组织(简称草根组织)类别组(选区)代表和列席代表选举报告

2006年5月6日,爱白文化教育中心、新疆雪莲花艾滋病教研项目组织、北京东珍纳兰文化传播中心、武汉馨缘工作组工作组、北京爱知行研究所(北京知爱行信息咨询中心)、全国输血感染艾滋病受害者工作委员会、公民健康状况与受教育权工作组、河南宁陵县康乐家和天津市血友病联谊会等9个组织共同发出"关于召开全国草根非政府组织全球基金研讨协商会的通知",目的在于组织全球基金中国国家协调委员会中工作于上述三种疾病草根非政府组织代表和列席代表的选举,建立中国草根组织的网络和协商机制。本次会议由组委会委托北京爱知行研究所承办,组委会成员为:陆军、常坤、冰蓝、李喜阁、万延海、王立新,会议召集人为陆军和万延海。

自5月6日起,组委会通过网站、邮件、邮件组、电话、传真等多种方式将会议通知进行了广泛地、开放地发布。截至5月14日下午6时,共有85个组织递交了报名表。组委会共确认了76个组织的参会资格。9个组织的报名资格未得到组委会的确认。

- 5月16日,会议在北京正式召开。70个获得参会资格的组织参加了本次会议。6个获得参 会资格的组织未参加。
- 5月17日,与会代表经过充分的讨论、辩论和民主投票表决确定了选举程序和选举方案,并成立了选举委员会。选举方案如下:正式代表由登记选民直接选举产生,列席代表由工作在艾滋病、结核病、疟疾三种疾病的感染者组织类别、血友病组织类别、同志组织类别和其他类别分别推选或选举出3名代表组成的12人组织代表团推选或选举产生,代表的产生方式则由各类别成员自己决定。选举委员会由常鹏、林风、万延海、孙玉伟、毛岭5人组成。
- 5月18日,60个参会组织递交了选民登记表,经选举委员会确认,这60个组织全部获得了选民资格。8个参会组织递交了候选人登记表。

选举采用两轮选举的方式。在第一轮选举中,每位登记选民在候选人中选举1名或2名,得票最高的两名候选人进入第二轮选举。在第二轮选举中,每位登记选民选举1名候选人,得票数超过投票人半数以上的候选人当选,弃权票不计。

公民健康状况与受教育权工作组,天津血友病联谊会,山西省芮城县红十字会基层工作站,

新疆雪莲花艾滋病教研项目组织,河南省宁陵县康乐家 5 位候选人参与了第一轮选举,3 名候选人自愿退出了选举。在第一轮选举中,60 名登记选民全部进行了投票,选举委员会收到有效选票 57 张,得票前两名的新疆雪莲花艾滋病教研项目组织(28 票)和天津血友病联谊会(19 票)进入了第二轮选举。在第二轮选举中,60 名登记选民全部进行了投票,选举委员会收到了有效票 53 张,天津血友病联谊会获得了 28 票,新疆雪莲花艾滋病教研项目组织获得了 25 票。天津血友病联谊会被选举为正式代表。

正式代表选举结束后,四个类别的参会组织分别推选出了 3 名代表形成了 12 人的列席代表团。他们是:(感染者组织类别组)河南省宁陵县康乐家、山西省迎春花小组、河南柘城县艾滋病防治民间促进会;(同志组织类别组)武汉馨缘工作组、彩缘新疆、大连彩虹工作组;(血友病类别组)南京爱之园、安徽省血友病联谊会、山东血友病联谊会;(其他类别组)北京知爱行信息咨询中心、山东菏泽民间弱势群体救助中心、新疆雪莲花艾滋病教研项目组织。

5月19日,正式代表和列席代表团成员经过讨论协商,推选北京知爱行信息咨询中心和 武汉馨缘工作组作为列席代表,河南柘城县艾滋病防治民间促进会、大连彩虹工作组、山东血友 病联谊会和新疆雪莲花艾滋病教研项目组织为各类别组的联络员,新疆雪莲花艾滋病教研项目组 织为总联络员。

第三篇:建议

关于上述 CCM 选举中出现的争执,北京爱知行研究所立场如下:

- 10、全球基金是人类社会国际主义精神的体现。对于中国社会来说,全球基金及其相关 CCM 类别成员选举事务、以及选举争端的处理,是一次难得的学习社会合作和竞争的机会,因此我们愿意保持认真学习的心态,愿意在事实、原则和妥协中前进。
- 11、我们认为 2006 年 4 月 27 日 CCM 秘书处召集的"以社区为基础组织"CCM 成员选举会议及 其结果无效。我们希望独立调查员在其调查报告中强调这一点。我们的这一立场获得了 2006 年 5 月 16-20 日全国草根组织全球基金咨询协商会议期间 60 个注册参加 CCM 类别代表选举 的组织的支持。
- 12、我们希望独立调查员愿意审视 2006 年 5 月 16-20 日全国草根组织全球基金咨询协商会议期间的 CCM 类别代表选举过程,提出你们对这次选举的意见,并考虑建议 CCM 接受草根组织这次选举会议的结果。
- 13、我们对一个积极地解决争端的方案,持开放的态度。我们愿意看到问题获得满意地解决。
- 14、我们建议,在目前阶段,CCM 大会应该允许草根组织类别组成员根据自行组织的选举、派出代表列席大会。
- 15、我们建议,各级卫生部门和其他政府部门,停止对草根组织和感染者活跃人士的干扰。
- 16、我们认为,相关争议的解决,应该鼓励中国草根组织类别成员召开协商会议,处理相关问题。
- 17、我们认为,应该在 CCM 中设置 2 个草根组织正式代表。
- 18、我们认为,全球基金对 CCM 的基本要求应该得到满足。我们认为, CCM 对外的标准应该是一致的。

Appendix 11: Statement by Wan Yanhai (translation to English)

Statement on the CCM Secretariat convened community based NGO and or other NGO sector election (Part One)

Wan Yanhai Director, Beijing AIZHIXING Institute Friday 14 July 2006

Since independent investigators Bernard Rivers and Prof Qiu Renzong committed at the interview conducted on 12 July, 2006, with Beijing AIZHIXING Institute and other organizations and people that the formal investigation report by the independent investigators will only include written and also can be made public material and that shall make the preliminary report and relevant testimony public next week for the public to provide comments for 2 to 3 weeks so as to ensure that the final report is reliable (using recording as evidence) and since the received document regarding the investigation methodology developed by the independent investigators around noon time on 13 July, 2006, did not include a clear explanation on using the above evidence, yet only vaguely stated that "We invite the parties we interview to submit to us, as soon as possible, in written, any input they wish us to take into consideration regarding any or all of (a) through (e) above. It is possible, but not certain, that we will attach some or all of this input in the form of appendices to our report.", therefore, Beijing AIZHIXING Institute will not provide positive or negative comments on the investigation methodology developed by the independent investigators at the time being. However, at the meanwhile, we urge the independent investigators to make a clear commitment to provide a complete explanatory note to the investigation methodology regarding making the evidence public.

Today, on behalf of Beijing AIZHIXING Institute, I state to Bernard Rivers and Qiu Renzong that Beijing AIZHIXING Institute believes that China CCM Secretariat, as the convener organized community based organizations and other NGO sector election is invalid,. Evidence is as following:

- 13. The concept of community based NGO or other NGOs stated in the trial Terms of Reference (TOR) passed by China CCM of the Global Fund on March 27, 2006 and in the community based organizations and other NGO sector election organized by China CCM Secretariat, as the convener on April 27, 2006 was the same as the concept of Grassroot NGOs in the TOR of China CCM (version for comments and the revised version for comments, December 22, 2005 China CCM Secretariat) and as the "grass root NGOs" used by CCM Secretariat Qiang Zhengfu at the sector election meeting on 27 April, 2006.
- 14. The Global Fund requested Global Fund Secretariat to sign the grant agreements with it before 30 September, 2006 on the approved Round 5 programmes. The Global Fund Secretariat recommended China to sign the agreement before 1 July, 2006. China wanted to complete the election of CCM members before the end of April, 2006 so that the grant

- agreement could be signed during the 13th plenary of the Global Fund Board meeting at the end of April.
- 15. Resolutions passed by the 9th plenary of the Global Fund Board stipulates that the member representing non government sector must be selected or elected by the relevant sector that the member belonging to through the procedures developed by the sectors themselves and through a transparent and documented process and that whether the CCM followed these requirements or not will determine the eligibility for the application of round 5 proposals and for the disbursement of grants for the phase two of projects.
- 16. Based on the above reasons, it would have half a year to finish the CCM sector membership election, however, an amount of 3 months was reduced for the election due to the Global Fund Secretariat's wish to speed up the signing process, and then an amount of two months was reduced purposely by China side.
- 17. From the passing of the trial TOR of China CCM on March 27, 2006 to the announcement of the community based organizations or other NGOs sector election of members to the CCM by CCM Secretariat on April 10, 2006, CCM Secretariat did not inform the voters in this sector election information. The amount of time was purposely reduced by another 2 weeks.
- 18. There was only 17 days to prepare election related matters between announcing the notice by CCM Secretariat 10 April, 2006 regarding the community based organizations or other NGOs sector election and the sector election meeting held on 27 April, 2006, convened by CCM Secretariat.
- 19. Before China CCM passed the trial TOR on March 27, 2006 and authorized the CCM Secretariat to be the convener of the community based organizations or other NGOs sector election, we did not see the CCM held public consultations with the sector members on the election methodology to elect members from this sector to the CCM.
- 20. After China CCM passed the trial TOR on March 27, 2006 and authorized the CCM Secretariat to be the convener of the community based organizations or other NGOs sector election, and before the CCM Secretariat announcing the election notice of this sector on April 10, 2006, we did not see the CCM Secretariat held public consultations with the sector members on the election methodology to elect members from this sector to the CCM.
- 21. China CCM passed the trial TOR on March 27, 2006 and authorized the CCM Secretariat to be the convener of the community-based organizations or other NGOs sector election, but, there were no members from this sector in the former CCM.
- 22. On April 10, 2006, CCM Secretariat announced the notice on the community based organizations or other NGOs sector election and stated that the deadline to register to

take part in the election was April 20, 2006 and that the voters and candidates in this sector should meet the following criteria: Legally registered community based organizations or other NGOs (at the internal meeting, referred to as grass root organizations) in China.

- 23. On April 24, 2006, CCM Secretariat announced the election meeting notice regarding the community based organizations or other NGOs sector election, stated that since announcing the notice on the community based organizations or other NGOs sector election, active responses were received from the community based organizations or other NGOs who were actively involved in the cause of fighting against AIDS, TB and Malaria, and who were interested in and supported the work of CCM. As of the deadline of April 22, 2006 for registration, a number of 16 organizations in this sector registered.
- 24. At 9:00 am on April 27, 2006 at the sector election meeting, we got to know 18 organizations participated in the meeting. These organizations were:
 - 1) Home of Loving Care Beijing You An Hospital
 - 2) Home of Beijing Red Ribbon Centre
 - 3) Xiang Yin Red Ribbon Volunteers Working Group-Haerbin
 - 4) Ai Zhi Yuan Zhu Support and Health Consultation Service Centre-Shen Yang
 - 5) Anshan MSM Community Volunteer Working Group-Liaoning
 - 6) Chengdu Tong Le Health Consultation Service Centre
 - 7) Beijing Gender Consultation Centre
 - 8) Liangshan Yi Minority Women and Children Development Centre-Sichuan
 - 9) Beijing Chaoyang District Kangzhong Health Education Service Centre
 - 10) Shanxi Women's Theory, Marriage and Family Research Society
 - 11) Yunnan Reproduction Health Research Society
 - 12) Zibeier AIDS Social Education Centre
 - 13) Rizhao Huake Invention Technology Research Institute
 - 14) Beijing Mangrove Support Group
 - 15) Beijing Zhiaixing Information and Consultation Centre (Beijing Aizhixing Institute)
 - 16) Chi Heng Foundation
 - 17) China AIDS Info
 - 18) Chaoyang Chinese AIDS Intervention Group
- 13. Just through the material announced by the CCM Secretariat at different stages, we can see clearly some problems:
 - The election meeting announcement made on April 24 stated that as of April 22, 16 organizations registered to take part in the sector election, but in the morning of April 27, we got to know a number of 18 organizations attended the election meeting while attending the meeting. There was no explanation from the CCM Secretariat on the change of the numbers of the organizations attending the meeting.
 - 4) The election notice publicized on April 10 stated that the deadline for registration was April 20, 2006, while in the election meeting notice announced on April 24, stated that as of the deadline of April 22, 16 organizations registered. There was no explanation

from the CCM Secretariat on the change of the deadline for registration.

- 14. It is obvious, that CCM Secretariat did not openly explain the above changes which violates the requirement for transparent and documented for the election.
- 15. Beijing AlZHIXING Institute (formally registered as Beijing ZHIAIXING Information and Consultation Centre) proposed several times to check the eligibility of the participants on April 27, 2006, but was refused. Our representative pointed out that some of the organizations had ties with the government, therefore did not meet the nature of this sector, and should join other sectors' election, such as Beijing Chaoyang District Kangzhong Health Education Service Centre. Our representative pointed out that some of the organizations did not register with the government, therefore, did not meet the criteria of only registered organizations can participate in the election meeting to take part in the election, such as Xiang Yin Red Ribbon Volunteers Working Group-Haerbin, Anshan MSM Community Volunteer Working Group-Liaoning, Chaoyang Chinese AIDS Intervention Group, Beijing Mangrove Support Group, and Home of Loving Care Beijing You An Hospital.
- 16. The election notice publicized on April 10, 2006 specified clearly that according to the CCM TOR, voters and candidates in this sector should meet following criteria: 1) legally registered in China community based organizations or other NGOs and work in the areas of AIDS, TB and Malaria.
- 17. Around 11 clock on April 27, 2006, after our persuasions to postpone the election for several times, the participants at the meeting decided to conduct the election. After the election, the representative from Beijing AIZHIXING Institute announced withdrawing the election and followed by a public statement, saying that the election violates the resolution of the 9th Global Fund Board Resolution, and also violates China CCM TOR, violates the CCM Secretariat notice on this sector's election, and believed the elections had serious problems with regard to the transparency, non public and with double standard and random treatment by the organizer.
- 18. Later, we found more problems with the identity of the voters and candidates: Some research institutes attended the meeting, such as Shanxi Women's Theory, Marriage and Family Research Society, Yunnan Reproduction Health Research Society, and Rizhao Huake Invention Technology Research Institute.

Some medical institutes projects on care for PLWHA as an independent organizations participated in the meeting, and some of these medical institutes also took part in the other sectors' election, such as You An Hospital and Di Tan Hospital participated in the academic and education sectors' election, while AIDS Care Project-Home of Loving Care-You An Hospital and Home of Red Ribbon Centre-Di Tan Hospital took part in this sector's election.

19. On April 29, 2006, Wan Yanhai from Beijing AIZHIXING Institute met Qiang Zhengfu and others of the CCM Secretariat, proposing to reorganize this sector's election, otherwise, Beijing AIZHIXING Institute will have the intention to organize this sector's election together

with grass root organizations. Early May, Wan Yanhai phoned Qiang Zhengfu and was informed that after consultation between MOH and CCM Secretariat, both decided to insist on the results of the election conducted on April 27, 2006.

Part II shall analysis the national grass root organizations and the Global Fund consultation meeting held during 16-20 May, 2006.

Part III shall propose recommendations to solve the problems.

(If this statement is different from previous statements by Beijing AIZHIXING Institute or by Wan Yanhai, the positions and evidence explanations stated in this statement shall be the valid ones.)

Attachments:

- 8) CCM TOR (version for comments and the revised version for comments), (China CCM Secretariat, December 22, 2006), (3TORs)
- 9) CCM TOR trial version (China CCM, passed on March 27, 2006), (3TORs)
- Notice on the community based organizations or other NGOs sector election of members to the CCM (China CCM Secretariat, April 10, 2006), (Docu-20060503)
- Notice on the election meeting of the community based organizations or other NGOs sector election of members to the CCM (China CCM Secretariat, April 24, 2006), ((Docu-20060503)
- 12) Position statement regarding Beijing AIZHIXING Institute (or named as Beijing ZHIAIXING Information and Consultation Centre) participation in the election meeting of the community based organizations or other NGOs sector election of members to the CCM held on April 27, 2006 (Beijing AIZHIXIN Institute, published April 26, 2006), (Docu-20060426)
- 13) Beijing AIZHIXING Institute statement on the withdrawing from the election of the community based organizations or other NGOs sector election of members to the CCM (Beijing AIZHIXIN Institute, April 27, 2006), (Docu-20060427)
- 14) Planned methodology for consultation review of China CCM election (Bernard Rivers and Qiu Renzong)

Beijing AIZHIXING Institute statement on the election of the community based organizations or other NGOs sector election of members to the CCM organized by China CCM Secretariat as the convener (Part II and Part III)

Part II: Report on the election of a representative and alternates to the CCM of the community-based organizations or other NGOs (in short called grass root NGO) sector election

6 May 2006, 9 organizations, such as the Chinese Gay Culture and Education Centre, Xinjiang Snowlotus AIDS Education and Research Project Organization, Beijing Dongzhen Nanan Culture Communication Centre, Wuhan Xinyuan Working Group, Beijing AIZHIXING Institute

(Beijing AIZHIXING Information Consultation Centre), National Working Committee for AIDS Victims through Blood Transfusion, Civil Society Health Status and Right to Education Working Group, Henan Ningling Kang Le Jia and Tianjin Hemophilia Society jointly announced the notice for the meeting on National grass root NGOs Global Fund workshop with the aim of organizing the election of a representative and alternates to the CCM from the grass root organizations working in the area of the three diseases, of establishing Chinese network and consultation mechanism of the grass root organizations. Beijing AIZHIXING Institute, who was entrusted to do so by the organizing committee composed of Lu Jun, Chang Kun, Lan Bin, Li Xige, Wan Yanhai, Wang Lixin conducted the meeting. The conveners of the meeting were Lu Jun and Wan Yanhai.

Starting from 6 May, the organizing committee announced the meeting notice widely and openly through Internet, emails, mails, telephone and fax, and various channels. As of 18:00pm on May 14, 85 organizations submitted registration forms. The organizing committee confirmed 76 organizations met the criteria to attend the meeting. The organizing committee did not confirm the eligibility of 9 applicants. May 16, the meeting was formally conducted in Beijing. 70 organization who met the criteria attended the meeting, 6 organizations did not attend, yet met the criteria.

May 17, election procedures and election plan were determined through sufficient discussions, debate and democratic voting. Election Committee was also set up. The election plan was as following: the representative would be elected by the registered voters through direct voting; The sector of infected people's organizations working on AIDS, TB and Malaria, the sector of hemophilia organizations, the sector of MSM and other sectors would nominate or elect 3 representative to represent its own sector. The 12 sector representatives would nominate or elect the alternates to the China CCM. Each sector members determined the method to select their own representative. The Election Committee was composed of Chang Peng, Lin Feng, Wan Yanhai, Sun Yuwei and Mao Ling.

May 18, 60 organization that attended the meeting submitted voters' registration form. Confirmed by the Election Committee, these 60 organizations all obtained the eligibility to voters. 8 organizations attending the meeting submitted candidates' registration form.

Two-round elections were the election method. In the first round election, each registered voters voted for one or 2 candidates, the top two candidates became the candidates for the second round election. In the second round election, each registered voters voted for one candidate. The candidate whose votes exceeded half of the number of voters would be one elected, the abandoned votes were not counted.

The five candidates, such as Civil Society Health Status and Right to Education Working Group, Tianjin Hemophilia Society, Shanxi Ri Cheng Red Cross Grass Root Working Station, Xinjiang Snowlotus AIDS Education and Research Project Organization, and Henan Ningling Kang Le Jia took part in the first round election, and three candidates withdrew from the election. In the first round election, the 60 registered voters cast votes, and the Election

Committee received 57 valid votes. The top two organizations: Xinjiang Snowlotus AIDS Education and Research Project Organization (28 votes) and Tianjin Hemophilia Society (19 votes) entered in the second round election, in which, the 60 registered voters cast votes, and the Election Committee received 53 valid votes. Tianjin Hemophilia Society won 28 votes and Xinjiang Snowlotus AIDS Education and Research Project Organization won 25 votes. Tianjin Hemophilia Society was elected as the representative to the CCM.

After the election of representative completed, the four sector organizations attending the meeting elected three representative of their own sectors, who formed the alternative delegation of 12 representatives. They were: (infected people sector) Henan Ningling Kang Le Jia, Shanxi Ying Chun Hua Group, Henan Zhecheng AIDS Prevention Promotion Society; (MSM sector): Wuhan Xinyuan Working Group, Xinjiang Caiyuan, Dalian Rainbow Working Group; (Hemophilia sector): Nanjing Ai Zhi Yuan, Anhui Hemophilia Society, and Shandong Hemophilia Society; (other sectors): Beijing ZHIAIXING Information and Consultation Centre, Shandong Heze Civil Vulnerable Group Aid Centre, and Xinjiang Snowlotus AIDS Education and Research Project Organization.

May 19, the formal representative and the delegation nominated and elected Beijing ZHIAIXING Information and Consultation Centre and Wuhan Xinyuan Working Group as the alternates. Henan Zhecheng AIDS Prevention Promotion Society, Dalian Rainbow Working Group, Shandong Hamaephomia Society and Xinjiang Snowlotus AIDS Education and Research Project Organization were the focal points for their respective sectors. Xinjiang Snowlotus AIDS Education and Research Project Organization was the key focal point of all the focal points

Part III: Recommendations

Regarding the above disputes about the CCM election, Beijing AIZHIXING Institute's positions are as following:

- 10. The Global Fund represents the international spirit of human society. As for China, matters related to the Global Fund and the sector elections of the CCM and handling of the election disputes was a valuable opportunity to learn how to cooperate and compete with each other, therefore, we are willing to keep the spirit of learning, and to move forward based on facts, principles and compromise.
- 11. We think that CCM Secretariat convened community based organizations to the CCM election meeting and the result of the meeting invalid. We hope that the independent investigators would stress this point in their investigation report. This position was supported by the 60 registered organizations that attended the CCM sector election during the May 16-20 national grass root organization global fund consultation meeting.
- 12. We hope that the independent investigators would review the election process of the

CCM sector election during the May 16-20 national grass root organization global fund consultation meeting, and provide comments on the election and consider suggesting CCM accepting the result of the election meeting of the grass root organizations.

- 13. We are open to positive proposals to solve the disputes. We wish that the problem would be solved satisfactorily.
- 14. We think that at the moment, CCM plenary meeting should allow grass root sector members to send its representative to attend the plenary meeting based on the sector-organized election.
- 15. We propose that health departments at all levels, and other government departments, stops the interfering with the grass root organizations and the activists of the infected people.
- 16. We think that with respect to solving the related disputes, Chinese grass root organization sector member should be encouraged to conduct consultation meetings and to handle related issues.
- 17. We think CCM should have two representatives from the grass root organizations.
- 18. We think that the basic requirements on CCM from the Global Fund should be met and that the external criteria of the CCM should be the same.

Appendix 12: Statement by Thomas Cai (in Chinese and English)

Note by the authors of this Review: In the PLWHA election conducted in May with the CCM Secretariat as convener, Thomas Cai was selected as the CCM member.

Statement regarding the China CCM election

(f) How the elections were conducted.

CCM 秘书处举行的 CCM 的 NGO/感染者社区代表的选举是基于各地组织/个人自愿报名以及相关组织机构的提名的基础上举行的。

The election conducted by CCM secretary was based on the nomination from different organizations working on HIV/AIDS and self-registration from community members around China.

(g) Strengths and weaknesses of the election process convened by CCM Secretariat.

CCM 秘书处举行的选举其优势在于:

- 1) 具有比较广泛的代表性。
- **2)** 个组织及机构的提名不但扩大了覆盖面而且能邀请在艾滋病领域中具有代表性及能力的组织/**个人的参与**。
- 3) 选举本身没有倾向性,相对公平和透明。

The strength of the elections:

- 4) The CCM organized election had a wider representation.
- 5) Nomination from agencies and organizations not only expanded the geographic coverage, but also were able to invite organizations and individuals working in the area of HIV/AIDS with good representation and capacity.
- 6) The election didn't have any bias and was relatively fair and transparent.

CCM 秘书处举行的选举的缺陷主要有:

- 3) 选举的日程安排比较仓促。
- 4) 选举程序的制定没有很好的准备时间。

The weakness of the elections:

- 3) Did not have sufficient time to arrange the election timetable.
- 4) Did not have enough preparation in the development of the election procedures.
- (h) Extent to which the elections process was transparent, documented and developed within the sector.

我认为 CCM 秘书处举行的选举是透明的,而且有记录可查,并且有邀请社区及各组织的代表参与程序的制定。

I believe that the CCM organized election was transparent and documented and community and people from different organizations were invited to develop the election procedures.

(i) Recommendations as to appropriate next steps by the CCM and by the parties involved in the disputed election.

中国的全球基金项目需要稳定和建设性的环境,CCM 秘书处的选举结果应该得到承认;全球基金项目在中国存在的问题需要有一个建设性的协调机制来解决:NGO 以及社区的代表不是政党,而是代表某一群体来寻求解决问题的最佳途径。因此 NGO 和社区的代表应该具备相应的能力和正确的立场和理念来实现这一目标。批判不是一个合适的方法。

China's GF project needs stable and supportive/constructive environment. The outcome of CCM Secretariat organized election should be recognized. To solve the problems existed in the China GF projects, there is a need to have a constructive coordination mechanism. NGO and community organizations are parties, rather they represent a group of people to explore the best options to solve problems. Therefore, NGO and community representatives should have relevant capacity and the correct position and ideas to achieve this objective. Criticism is not an appropriate approach.

(j) Recommendations as to what changes (if any) should be made to the CCM TOR and/or to the procedures to be followed in future CCM elections.

对于 CCM 成员的 TOR 不需要改变,但是面对未来的类似选举,应该邀请各国际机构组织以及 UN 的人员参与程序的设计,并作为观察员督导整个选举过程;否则任何人/组织的异议在没有一个良好评判标准和制度的情况下提出,将使整个程序进入恶性循环的过程;不利于全球基金项目的进行。更多的资源将被浪费于这种无休止的摩擦中。

I don't think there is the need to change the TOR for CCM. With respect to the future similar elections, there is the need to invite international agencies and UN staff to participate in the development of the procedures and to invite them as observers to oversight the whole election process, otherwise, any doubts raised by anyone or any organizations in an environment where there were no good criteria and system for judgement will lead the election process into a vicious cycle. This is not good for the implementation of the GF projects. More resources would be wasted on the disputes, which would be endless.

Appendix 13: Statement by Shen Jieyong, on behalf of 76 PLWHA (Chinese)

就 CCM 秘书处组织的感染者类别选举出现的问题致特别调查组

尊敬的 Bernard Rivers、邱仁宗先生:

我们认为 CCM 秘书处组织的感染者类别选举无效,理由如下:

- 1、根据全球基金的精神,感染者类别的选举应该由感染者自己组织并制定选举程序和选举方式来选择自己类别的代表,我们注意到 CCM 秘书处主导了本次选举的所有活动,我们认为这是不合理的。
- 2、CCM 秘书处对本次选举信息发布时间紧,又只在网上发布,存在弊端,因为感染者大多数生活在农村,绝大多数都不使用互联网,我们认为他们无法通过互联网获得相关信息。
- 3、本次选举没有发布选举时间和选举的程序,并且没有将选举时间和选举的程序对外发布。
- 4、本次 CCM 秘书处组织的选举没有进行选民资格确认。据我们了解,CCM 秘书处确认并公布的选民朱龙伟、范警民都不是艾滋病感染者。我们认为 CCM 秘书处对艾滋病感染者的身份确认很容易做到,因为各地的艾滋病感染者在当地的 CDC 都有登记,CCM 秘书处通过各地的 CDC 很容易确认艾滋病感染者的身份; CCM 秘书处确认并公布的选民彩虹是作为结核病类别的选民,而据我们了解他不是结核病的感染者,我们认为对一个结核病感染者的身份确认也是非常容易的。
- 5、截止到 4 月 22 号,参加 ccm 成员选举的报名人数为 115 位 (据 ccm 秘书处 4 月 26 日公布), 也就是说这 115 位感染者都有选举权与被选举权,候选人的产生应由这 115 人感染者自己决定。
- 6、CCM 秘书处利用电话录音和传真投票,我们认为这两种投票方式都是不合理的。
- 7、CCM 秘书处用电话征集选票时没有告之选民应该如何投票,这就导致了有很多投票都成了废票;
- 8、本次选举中的选民和候选人没有进行充分的沟通和交流,选民对候选人不是很了解。我们认为在这种情况下产生的代表并不能真正代表感染者。
- 9、本次选举的时间非常仓促,有很多选民在投票的时候还没有收到候选人的介绍资料(比如湖北省南漳县7名选民),本次选举结束以后,河南遂平县有部分感染者没有收到选票。

建议

2006年9月1日-10月31日期间,中国CCM需要完成下列工作:

- 7、要求 CCM 秘书处与中国疾病预防控制中心协商,通知全国各省(直辖市、自治区)、市、县疾病预防控制中心,对辖区内三种疾病感染者开展一次全天培训班,介绍全球基金、CCM、全球基金中国艾滋病项目、结核病项目和疟疾项目及其执行情况;会议通知需要广泛发布给辖区内三种疾病感染者、非政府组织;会议需要介绍中国 ccm 改革及选举中出现的争议情况,让广大感染者朋友进行商议,探讨解决问题的方式;
- 8、要求 CCM 秘书处与中国各地在感染者中工作的非政府组织配合,鼓励和支持非政府组织对三种疾病感染者进行一次关于全球基金的信息介绍活动;
- 9、 要求 CCM 秘书处准备一套详尽的信息材料,提供各地卫生部门和非政府组织开展活动用;

- 10、要求 CCM 秘书处,与各地的感染者们商讨感染者类别选举的方案,推动类别成员制定 CCM 成员选举方案,提出重新选举的时间表;
- 11、CCM 成员选举需要依据全球基金关于透明、有记录、类别成员自行组织选举、依照类别成员自己制定的选举方案,组织一个选举委员会,独立组织选举活动;
- 12、CCM 秘书处协助选举委员会,组织选举相关的筹款活动。

76 名选民代表: 申洁勇

2006年7月13日

解释:

申洁勇:身份证号为420*************,是5月30日代表76名选民的十名代表的委托代表。

Appendix 14: Statement by Shen Jieyong, on behalf of 76 PLWHA (translation to English)

To the review team of the PLWHA sector election to China CCM

In our view, the PLWHA sector election organized by the CCM Secretariat is invalid. Our reasons are as following:

- 10. According to the spirit of the Global Fund, PLWHA sector election should be organized by PLWHA. Procedures and methods of the election should be developed by the PLWHA to elect its own representatives. We noticed that the Secretariat led all the activities of this election. We don't think this is appropriate.
- 11. The CCM Secretariat announcement the election in a short notice and only through Internet. Since majority of the PLWHA were in the rural areas, and did not have access to Internet. Therefore, we don't think they could get relevant information through Internet.
- 12. There was no announcement regarding the time and procedures of the election and there was no public notice regarding the time and procedures of the election.
- 13. The CCM Secretariat organized election did not check the eligibility of voters. As far as we know, the CCM Secretariat confirmed voters, both Zhu Longwei and Fan Jingmin were not PLWHA. We think it was easy to check if the voters were PLWHA or not, because all the PLWHA were registered at local CDC, it was easy for CCM Secretariat to check this through local CDC; We also know that CCM Secretariat confirmed and announced voter, Cai Hong was not a TB carrier, who applied to take part in the election in the TB sector election. We think it was easy to check if a person was or was not a TB carrier.
- 14. As of April 22, the number of people applied to take part in the election was 115 (as announced by the Secretariat on April 26), so all of these 115 people had to the right to vote and to be elected, and candidates would be elected from the 115 people by the 115 people themselves.
- 15. The CCM Secretariat conducted the voting through recorded phone calls and through fax, we do not think both of these voting methods are appropriate.
- 16. The CCM Secretariat did not inform the voters how to vote when they soliciting voting through phone calls, resulted in many votes becoming invalid.
- 17. There was not sufficient communication and information sharing between the voters and candidates. Voters did know the candidates enough. We don't think representatives elected in such context can truly represent people living with AIDS, TB and Malaria.
- 18. The election was conducted in a short time, many voters did not receive the briefing about the candidates at the time of voting, for instance, the 7 voters in Nan Zhang county, Hubei province. Some PLWHA did not receive the voting sheet even after the election had finished.

Recommendations:

Between 1 September to 31 October, 2006, China CCM should complete following work:

- 7. Requests CCM Secretariat and the Chinese CDC to consult between themselves, and to inform CDC at provinces (municipalities, and autonomous regions), cities and counties to conduct one day training for people living with AIDS, TB and malaria in their respective administration. Briefing on the Global Fund, the CCM and the Global Fund China projects on AIDS, TB and malaria, including implementation of these projects should be provided at the training session. The notice on the training should be sent out widely to the people living with AIDS, TB and malaria and NGOs in their respective administration. The training should also introduce the reform of China CCM and the disputes regarding the elections so as to let the people living with these three diseases to discuss and explore solutions.
- Request CCM Secretariat to cooperate with the NGOs in all parts of China working for these groups of people and to encourage and support these NGOs to conduct briefing activities to introduce the Global Fund to people living with the three diseases.
- 9. Request CCM Secretariat to prepare a detailed briefing material to be provided to the health departments and NGOs at local level for their activities.
- 10. Request CCM Secretariat to discuss election methods of PLWHA sector with people living with these three diseases all over China and to promote the members of this sector to develop CCM election plan and to set up the election timetable.
- 11. Election of CCM members should follow the Global Fund principle of transparency, documented and sector-organized election. An election committee should be established based on the election plan developed by the sector members and the Committee shall organize election activities independently.
- 12. CCM should facilitate the election committee to organize fund raising activities for the election related activities.

Shen Jieyong, on behalf of the 76 voters 13 July, 2006

Note: Shen Jieyong, citizen no.: 420624710212133, an entrusted representative of the 10 representatives of the 76 voters

Appendix 15: Statement by Jia Ping (in English and Chinese)

Note by the authors of this Review: In the CBO/NGO elections conducted in late April with the CCM Secretariat as convener, Jia Ping was selected as the CCM member.

Statement regarding the China CCM election

5. I joined the election because I learned about the CCM Secretary's call for joining the election through CHAIN's staff and Dr. Wan's Mail listserv.

我参加了(4月27日)的选举,我丛 CHAIN 的一个员工那里以及万延海的邮件组中得到了关于 CCM 秘书处号召参加选举的通知;

- 6. During the election, NGOs who joined the election discussed about the procedure, whether the election should be held, how to vote. The organizations who joined the election decided:
 - (e) To elect a temporary representative, and after six months to one year to initiate the process of new election of CCM representative – just to avoid the drastic debate on whether the election should keep going on and to promote CCM reformation keep going on.
 - (f) The election procedure was in several parts. The first part was just to elect the top four candidates. Then the candidates gave a speech on their work agenda after being elected as representative. Then all members who joined the election voted to elect a Representative from among them, and two Alternates – according to the number votes.
 - (g) Some people said that they did not want be the Representative including Guo Ya Qi from Gender institute.
 - (h) The CCM Secretary did not control the election, the election was done by the NGOs include the counting of the number of votes.

在选举过程中,参加选举的非政府组织就选举程序,是否应该进行选举,如何投票等问题进行了讨论。参加选举的组织最后一致决定:

- (e) 选举出一个过渡期的临时代表,在确认选举结果后半年到一年的时间发起新的选举—— 这是为了避免当时 CCM 会议上激烈进行的关于选举是否要继续进行的争辩。
- (f) 选举程序分为几个步骤。第一步选出头四名的票最高的候选人,然后这些候选人分别就当选代表后的工作规划做一个演讲。然后所有的与会成员在他们中投票选出代表以及副代表——根据投票数目高低。
- (g) 一些与会成员说他们不想当选为代表——包括纪安德的郭雅奇。
- (h) CCM 秘书处没有操控选举,选举本身是 NGO 完成的,包括唱票工作。

7. The organizations who joined the election did not include Gongos or government sectors. The health for all and The Red ribbon are all civil affairs department registered organizations.

参加选举的组织中没有政府 NGO. 康众和红丝带之家是民政登记的组织。

8. Dr. Wan's attack is contradictory – he first attacked the election as being illegal if the CCM did not revise the charter; then he attacked the election's procedure as being illegal after the election; then he said the elected representative was imposed by the Chinese government.

万大夫的攻击是自相矛盾的——他首先攻击选举不合法,因为 CCM 不愿修改章程;然后攻击说选举程序本身不合法;进而攻击当选代表为中国政府所安插。

<u>Appendix 16: CCM Secretariat Briefing on CBO/NGO Sector</u> <u>Member Selection (English)</u>

- 4. On April 10, 2006, CCM Secretariat released the notice of CCM member selection in CBO/NGO sector, and requested those who want to participate to signing up. This notice was sent to all CBOs and NGOs that the communicate detail was available for CCM secretariat, and also published on China Global Fund website.
- 5. Up to the deadline of April 22, there are following 18 organizations signing up:
 - 1) Home of Love Caring, Beijing You'an Hospital
 - 2) Beijing Home of Red Ribbon
 - 3) Ha'erbin Xinxiangyin Red Ribbon Volunteers' Working Team
 - 4) Ai Zhi Yuan Zhu Center for Health and Education
 - 5) Volunteers' Working Team for Homosexual Community in Anshan
 - 6) Chengdu Gay Community Care Organization
 - 7) Beijing Gender Health Education Institute (BGHEI)
 - 8) Center for the Development of Liang Shan Yi Women and Children
 - 9) China HIV/AIDS Information Network Chain
 - 10) Shaanxi Research Association for Women and Family
 - 11) Yunnan Reproductive Health Research Association
 - 12) Zibir AIDS Social Education Center
 - 13) Ri Zhao Hua Ke Invention and Research Institute
 - 14) Mangrove Support Program
 - 15) Beijing AIZHIXING Institute of Health Education
 - 16) Chi Heng Foundation, HK, China
 - 17) China AIDS Info
 - 18) Chaoyang Chinese AIDS Volunteer Group
- 6. On April 27, 2006, Community Based Organizations or other NGOs member selection meeting was held in Beijing. 14 of the 18 organizations sent representatives attending the meeting. Ha'erbin Xinxiangyin Red Ribbon Volunteers' Working Team, Shaanxi Research Association for Women and Family, Yunnan Reproductive Health Research Association and Chi Heng Foundation, HK, China did not attend the meeting.

The topics of this meeting are:

- 1) CCM Secretariat brief China Global Fund programs and new TORs.
- 2) Sector Group Members discuss and choose member selection procedure.
- 3) Select one CCM member and two extra persons.

The attendees decided to select CCM members and two extra persons by secret ballot. Before the selection, Beijing AIZHIXING Institute of Health Education declared to withdraw and left the meeting room later.

After three rounds of secret ballots, Ai Zhi Yuan Zhu Center for Health and Education was selected as CCM member. Center for the Development of Liang Shan Yi Women and Children and Beijing Home of Red Ribbon were selected as CCM extra persons.

The detailed selection process was as follows:

• Round 1 secret ballot was to nominate CCM member and CCM extra person. Top 4 organizations nominated as CCM members are: *Ai Zhi Yuan Zhu*

Center for Health and Education (3 votes), Beijing Home of Red Ribbon (2 votes), Chengdu Gay Community Care Organization (2 votes) and Beijing Gender Health Education Institute (2 votes). Top 5 organizations got the vote "CCM member + extra person" are: Ai Zhi Yuan Zhu Center for Health and Education (8 votes), Beijing Gender Health Education Institute (7 votes), Beijing Home of Red Ribbon (6 votes), Center for the Development of Liang Shan Yi Women and Children (5 votes) and China AIDS Info (4).

- Round 2 secret ballot was to select CCM member. The candidates were 4
 organizations won in Round 1 vote: Ai Zhi Yuan Zhu Center for Health and
 Education, Beijing Home of Red Ribbon, Chengdu Gay Community Care
 Organization and Beijing Gender Health Education Institute. The
 candidates presented themselves and Ai Zhi Yuan Zhu Center for Health
 and Education won with 5 votes.
- •Round 3 secret ballot was to choose CCM extra persons. The candidates were those 5 organizations with high "CCM member + extra person" votes in Round 1. As Ai Zhi Yuan Zhu Center for Health and Education had already been selected as CCM member, other four organizations became the candidates. Center for the Development of Liang Shan Yi Women and Children and Beijing Home of Red Ribbon were selected as CCM extra persons.

It is clear that suggestions and opinions were solicited from all members before and during the selection. The selection process was developed by sector group members.

<u>Appendix 17: CCM Secretariat Briefing on CBO/NGO Sector</u> <u>Member Selection (Chinese)</u>

三、 以社区为基础的组织或其它非政府组织类别组 CCM 代表选举过程介绍

- 1. 2006 年 4 月 10 日, CCM 秘书处发出选举通知,征求有意参加本类别组的以社区为基础的组织或其他非政府组织报名。此通知也在中国全球基金网站上作为重要公告公布。
 - 2. 到 4 月 22 日报名截至日止, 共有下列 18 个组织报名:
 - 1) 北京佑安医院一爱心家园
 - 2) 北京市红丝带之家
 - 3) 哈尔滨心相印红丝带志愿者工作组
 - 4) 沈阳爱之援助健康咨询服务中心
 - 5) 辽宁省鞍山同志社区志愿者工作组
 - 6) 成都同乐健康咨询服务中心
 - 7) 北京纪安德咨询中心
 - 8) 四川省凉山彝族妇女儿童发展中心
 - 9) 北京市朝阳区康众卫生教育服务中心
 - 10) 陕西省妇女理论婚姻家庭研究会
 - 11) 云南生育健康研究会
 - 12) 紫贝尔艾滋病社会教育中心
 - 13) 日照华科发明技术研究所
 - 14) 红树林支持组织
 - 15) 北京知爱行信息咨询中心
 - 16) 智行基金会
 - 17) 中国艾滋病资讯
 - 18) 朝阳华人 AIDS 干预工作组
- 3. 2006 年 4 月 27 日,"以社区为基础的组织或其它非政府组织"类别组会议在北京召开,上述 18 个报名的组织中有 14 个派代表参加了会议。哈尔滨心相印红丝带志愿者工作组、陕西省妇女理论婚姻家庭研究会、云南生育健康研究会和智行基金会未能参会。

会议的主要议题有:

- 1) CCM 秘书处对全球基金项目和 CCM 新的章程进行介绍。
- 2) 本类别组成员自己讨论确定本类别组 CCM 成员选举方式;
- 3) 选举本类别组 1 名正式 CCM 成员、2 名参会代表。

参会代表经过热烈讨论,决定通过无记名投票选举方式选举本类别组代表。

选举前,北京知爱行信息咨询中心提出不参加选举,随后退出会场。

经过3轮不记名投票,选举"沈阳爱之援助健康咨询服务中心"为本类别组 CCM 成员, 另外选举"四川省凉山彝族妇女儿童发展中心"和"北京市红丝带之家"为 CCM 参会代表。

选举过程如下:

第一轮投票题名 CCM 成员和参会代表。被题名 "CCM 成员"得票数前 4 位的组织分别是:沈阳爱之援助健康咨询服务中心(3)、北京市红丝带之家(2)、成都同乐健康咨询服务中心(2)、北京纪安德咨询中心(2)。被题名 "CCM 成员"和 "CCM 参会代表"合计得票数

前 5 位的组织分别是: 沈阳爱之援助健康咨询服务中心(8)、北京纪安德咨询中心(7)、北京市红丝带之家(6)、四川省凉山彝族妇女儿童发展中心(5)、中国艾滋病资讯(4)

第二轮投票,选举 CCM 成员。第一轮题名得票前 4 名的组织: 沈阳爱之援助健康咨询服务中心、北京市红丝带之家、成都同乐健康咨询服务中心、北京纪安德咨询中心为候选者。上述四个组织分别做了竞选陈述,然后举行第二轮投票,沈阳爱之援助健康咨询服务中心以最高票 5 票当选本类别组 CCM 成员。

第三轮投票,选举 CCM 参会代表。在第一轮投票中合计票数前 5 位的组织为候选者。 因沈阳爱之援助健康咨询服务中心在第二轮投票中已被选为 CCM 成员,故不再参加此轮投票。其他四个组织的代表在投票前均做了竞选陈述。投票结果,四川省凉山彝族妇女儿童发展中心(10)和北京市红丝带之家(7)得票最高,当选 CCM 参会代表。

本次选举的程序是由类别组代表经过讨论后确定的,充分尊重了所有代表的意见,整个过程是公开、透明、公正的。

<u>Appendix 18: CCM Secretariat Briefing on PLWHA Sector Member Selection (English)</u>

April 12, 2006, China CCM Secretariat released the notice of selecting CCM member in People Living with HIV/AIDS, TB and/or Malaria Sector (PLWHA hereafter for short). Up to April 22, there are 114 people signing up to participate in the selection.

On April 27, China CCM Secretariat held a meeting to solicit the suggestion and recommendations on selecting CCM member in PLWHA sector. Seven PLWHA from Beijing, Jilin and Heilongjiang, four NGO representatives from *Jilin City HIV/AIDS Care Community*, *Ai Zhi Yuan Zhu Center for Health and Education* and *China AIDS Info*, two officers from WHO and UNAIDS, and staff members of China CCM Secretariat attended the meeting. The following consensus had been reached:

- 4. Suggest CCM secretariat to communicate with those who claimed receiving notification late and missed the deadline, confirm their registration and include them into the constituency list.
- 5. Process the election on the basis of present registered constituencies. Release the notice as quickly as possible, asking the candidates to provide a brief induction to state their experience, influence, ability and thinking of CCM work to make a better understanding of each other and facilitate the constituencies make their choices.
- 6. Since there is a big diversity in the number of constituencies in different provinces, direct voting will probably lead to unfair results. It suggested that each province have no more than three candidates. The secretariat was requested to hold a communication-election in Jilin, Henan and Hubei to create three candidates in each province. After that, the Secretariat will organize all of the candidates to hold a selection to create CCM member and two extra persons.

After confirming two extra candidates, on April 29, 2006, CCM Secretariat sent supplement forms to 116 PLWHA candidates for detailed information of themselves and got 73 feedbacks till the timeline May 9. Candidates from Jilin, Hubei and Henan provinces were 33, 13 and 15 respectively, so a pre-selection in these three provinces were carried out. Three representatives each in the three provinces were selected out as the candidates of these three provinces.

Finally, there are 21 candidates became constituencies in this sector. They come from: Jilin(2), Henan(3), Hubei(3), Heilongjiang(3), Guangdong(2), Hebei(1), Yunnan(1), Shanxi(2), Gansu(1), Hunan(1), Beijing(1).

On May 18, 2006, CCM Secretariat sent candidate's self introductions to the 21 constituencies asking them voting to create one CCM member and two extra persons. Up to the deadline of May 22, CCM secretariat received 20 valid votes. The statistics showed that votes on CCM members distribute separately and votes on two extra persons are comparatively centralized. Thomas (Alias) from Guangdong was selected as CCM members with 3 votes. Cai Hong (Alias) from Heilongjiang and Xiao Kan (Alias) from Huan were selected as CCM extra persons with 7 votes and 5 votes respectively. After the publication of the selection result on May 24, CCM secretariat received charge from constituencies that Cai Hong, who was selected as the extra person, was not PLWHA/TB/MAL patient. CCM secretariat communicated with Cai Hong asking her to submit documents that can testify she was a TB patient (As she announced in the application sheet). CCM secretariat sent an announcement that the

extra person qualification for Cai Hong would be suspended until her TB patient identity been confirmed.

<u>Appendix 19: CCM Secretariat Briefing on PLWHA Sector Member Selection (Chinese)</u>

四、 感染者类别组 CCM 成员和参会代表选举过程介绍

2006年4月12日 CCM 秘书处发出了"CCM 感染者类别组代表选举的通知"。截至4月22日,报名和推荐参加感染者类别组的人选有114名。

为组织好感染者类别组选举,2006年4月27日,CCM 秘书处在北京潇湘大厦举行了"CCM 感染者类别组选举征求意见会",听取报名者、相关国内、国际组织对选举的意见和建议。自河南省、北京、吉林、黑龙江等地的感染者7人、吉林市艾滋病关爱协会、沈阳爱之援助协会、中国艾滋病资讯等非政府组织代表4名、WHO和UNAIDS官员各1名以及CCM 秘书处工作人员参加了会议。会议达成如下一致意见:

- 1、 建议秘书处对个别提出接受通知延迟、错过报名时间的感染者,予以联系确认,加到报名名单中。
- 2、 在已经报名的人员的基础上组织下一步选举工作。尽快发出通知,请每个报名人员 提供自我简介,包括既往经历、工作和影响能力、参加 CCM 工作的设想。以使报名代表间能 相互了解,便于下一步选举。
- 3、 鉴于现在报名人数在地域分布上有比较大的差异,直接投票选举会产生不公平的结果,因此建议,每个省(直辖市)的报名人数不能超过3人。对于目前报名者超过3人的省份(吉林、河南、湖北),秘书处可以通过发选票,采用通讯选举的方式,由各省自己选出3名代表。之后秘书处组织各省市代表,选举出感染者类别组的CCM成员和参会代表。

2006年4月29日,在补充确认2名报名者后,CCM 秘书处向116位报名者发出了感染者类别组补充信息表,要求提供更多个人信息。至5月9日截止日,共有73位报名者提交了补充信息表,其中吉林、湖北、河南三省的报名人数分别为33、13、15人,超过3名。根据4月27日感染者类别组选举征求意见会的决定,5月11日,通过通讯投票的方式,在三省进行了预选举,每省各选出三名感染者代表本省参加全国范围的最终选举。

最终有 21 名感染者成为本类别组候选人。其中: 吉林省 3 名、河南省 3 名、湖北省 3 名、黑龙江省 3 名、广东省 2 名、河北省 1 名、云南省 1 名、山西省 2 名、甘肃省 1 名、湖南省 1 名、北京市 1 名。

2006年5月18日,CCM 秘书处向上述21名候选人发送了候选人信息表,并通过通讯投票的方式选举1名 CCM 感染者成员,2名参会代表。至5月22日截止日,共收回有效选票20张。选票统计显示,对 CCM 成员投票比较分散,来自广东省的 Thomas (化名)得票3票,为最高,当选为本类别组的成员;对参会代表的投票相对集中,来自黑龙江省的彩虹(化名)和来自湖南省的小侃(化名)分别以7票和5票当选为参会代表。5月24日,在感染者代表选举结果公布之后,秘书处收到候选人举报,认为当选的参会代表彩虹不是艾滋病/结核病/疟疾感染者。秘书处即与彩虹本人联系,要求提供证明其为感染者的材料,并通报,在核实彩虹的感染者身份之前,暂不确认她的参会代表资格。

附件 20: 对于新 CCM 章程的要点的评估

Appendix 20: Review of Some Key Points in the New CCM TOR

评论: 第 3(B)部分所述,我们的结论是,导致对于最近 CCM 选举有争议的原因之一是新 CCM 章程存在着一些缺陷。我们认为,如果这些缺陷不能得到解决的话,以后的 CCM 选举可能会再次出现问题。**Comment:** As stated in Section 3(B) on page 162, we have concluded that one of the factors that led to the disputes regarding the recent CCM elections is that there are some weaknesses in the new CCM TOR. In our opinion, future CCM elections may again have problems if these weaknesses are not addressed.

因此,我们做了如下的分析: Accordingly, we have prepared the following analysis, which shows:

- *对那些对选举有影响的新 CCM 章程的要点的分析* The key points in the new CCM TOR that had an impact on the elections.
- 对于这些影响的利弊的分析 Some comments regarding their strengths and weaknesses.
- 一些如何改进的建议 Some recommendations for improving them.

新章程将成员数从 56 名减少至 22 名。将用于"新 CCM" (即根据新章程的标准建立的 CCM)的新章程包括如下要点: The new TOR arranges for the CCM to be reduced from about 56 members to 22 members. The TOR includes the following key points that will apply to the "new CCM" (that is, to the CCM that exists as a result of the new TOR):

(h) 第 2.1.3 款到第 2.1.6 款: 新 CCM 中将包括来自于如下政府以外的各类别组的代表 1 名或多名: 中国疾病预防控制中心(中国 CDC),专业/教育机构,人民团体(包括宗教团体),中国协会或社会团体,以社区为基础的组织或其它非政府组织,国际非政府组织,中国艾滋病、结核病、疟疾患者或感染者,私有/公育企业、多边组织及双边组织。Clause 2.1.3 to 2.1.6: The new CCM will include one or more representatives from each of the following sectors outside government: China Center for Disease Prevention and Control (China CDC), academic/educational institutions, mass organizations (including religious/faith-based organizations), Chinese associations or societies, community based organizations or other NGOs, international non-governmental organizations, people living with HIV/AIDS, TB and/or malaria, private sector/state owned enterprises, multi-lateral organizations, and bilateral organizations.

评论: 一些参与 CCM 选举 的组织,不太清楚他们最适合属于哪个类别组——他们落在了两个类别组的灰色区域。**Comment:** For some organizations that participated in the CCM elections, it is not clear which Sector they most appropriately belong to – they fall in the grey area between two Sectors.

如果组织 A 和 B 很明确地属于 X 类别组,但不太清楚组织 C 是否属于 X 类别组或是其他类别组的话,当不清楚组织 C 是否能够参与决策时,"X 类别组"怎么能够决定组织 C 是否属于那个类别组呢? If Organizations A and B clearly belong to Sector X, but it is not clear whether Organization C belongs to Sector X or to some other Sector, how can "Sector X" decide whether Organization C belongs within that Sector, when it is not clear whether Organization C can take part in making that decision?

因此,我们相信是 CCM,而不是类别组应该来解决这样的不确定的问题。 Accordingly, we believe that it is for the CCM, not the Sectors, to resolve such uncertainties.

建议 6: CCM (a) 既应该制定和采用一个对于哪类组织有资格作为哪个类别组的 CCM 成员给出更加严谨的定义,(b) 或者应该指定和授权一个中立方在不确定的情况下对于某个特别的组织属于哪个类别组做出裁决。 **Recommendation** 6: The CCM should either (a) produce and adopt a document providing tighter definitions of which types of organization are eligible to be members of which Sectors Groups, or (b) appoint and empower a neutral party to make a ruling each time there is uncertainty as to which Sector a particular organization belongs to.

(i) 第 2.1.3 款: 新 CCM 将包括"1 名以社区为基础的组织或其它非政府组织代表"。 Clause 2.1.3: The new CCM will include "one representative from community based organizations or other NGOs".

评论: 这指的是草根组织。这一款很重要,因为"老 CCM"没有草根组织的代表席位。**Comment:** This is a reference to grass-roots NGOs. This clause is significant, because such organizations were not represented in the "old CCM".

(j) 第 2.9 款: 各类别 CCM 成员代表 "其类别组(即某个特定类别中的组织或个人)观点,而非其本身所属组织"。Clause 2.9: Each CCM member represents "sector group members" (that is, organizations/individuals within a particular sector), rather than just his/her own organization.

评论: 这是新 CCM 章程中许多很好的地方之一,非常准确地体现了全球基金的精神。 **Comment:** This is one of the many excellent points in the new CCM TOR, and reflects exactly what the Global Fund wants.

(k) 第 2.5 款: 任何组织均可成为类别组成员,只要符合四条标准,其中一条是"在中国合法注册的"。Clause 2.5: Any organization can be a sector group member if it meets four criteria, one of which is that it is "legally registered to operate within China".

评论: 新章程既允许民政部门注册(这类注册非常困难),也允许在工商部门 以公司形式注册(这类注册较容易些,但是也不是很容易)的组织成为该类别 组成员。似乎应该是这样。但是章程的文字还表明,中国许多没有注册的草根 组织(也称社区组织)不能成为该类别组成员。这一限制在2006年4月10日 CCM 秘书处发布的选举通知上甚至被更加明确地重申。通知上写到:"本类别 组选举者和被选举者需符合以下条件: 1) 在中国合法注册的以社区为基础的组 织或其它非政府组织······"(下划线是我们加的)**Comment:** The TOR permits sector group membership both by organizations that are registered with the Civil Ministry (a form of registration which is very hard to achieve) and by organizations that are registered as companies with the Bureau of Industry and Commerce (a form of registration which is less hard to achieve, but still not easy). This is as it should be. But the wording of the TOR indicates that China's many un-registered grass-roots organizations (also known as community-based organizations) cannot be sector group members. This restriction was repeated even more explicitly in the election notice that was sent to CBO/NGOs by the CCM Secretariat on 10 April 2006. That notice stated that "the voters and candidates to be voted in this sector need to meet following criteria: 1) Community based organizations or other NGOs who are legally registered in China..." (Underlining added by us.)

但是 2006 年 2 月 26 日召开的第 15 次 CCM 全体会议的会议纪要中记录到,CCM 主席和副主席指出尽管要成为 CCM 成员必须是注册的组织,但是没有注册的组织"可以参加某些 CCM 会议、类别组或工作组会议等。"这一点超越了CCM 新章程,很明确地表示没有注册的组织可以以类别组成员形式参与选举他们类别组的 CCM 成员。不幸的是 CCM 新章程及 2006 年 4 月 10 日选举通知上的意思却与这一点相反。

Yet the minutes of the 15th CCM plenary meeting, on 26 February 2006, record that the Chair and Vice-Chair clarified that although organizations must be registered if they are to be CCM members, un-registered organizations "may attend certain CCM meetings, sector group meetings, or working group meetings". This goes beyond the CCM TOR, and makes it quite clear that un-registered organizations <u>can</u> participate, as sector group members, in electing their CCM members. It is unfortunate that the CCM TOR and the 10 April 2006 election notice indicate the opposite of this.

我们非常认同 CCM 主席和副主席提出的未注册的组织应该被允许参加 CCM 会议、类别组会议以及工作组会议的说法。我们相信这是对全球基金的多个政策声明中提到的"发挥非政府组织/社区组织在 CCM 中的作用"的正确理解。如果全体 CCM 愿意清楚地在 CCM 章程中体现这个规定,而不是隐藏在令人误解文字后面的话,这次选举中的许多问题中可能就可以被避免。We strongly agree with the ruling by the CCM Chair and Vice-Chair that un-registered organizations should be permitted to attend CCM meetings, sector group meetings, and working group meetings. We believe that this is a correct interpretation of the Global Fund's intent in its various policy statements regarding the role of NGOs/CBOs in CCMs. If the full CCM had been willing

to clearly reflect this ruling in the CCM TOR, rather than to hide behind misleading wording, many of the problems that arose with the election might have been avoided.

建议 7: 应该修改 CCM 章程,明确表达出 CCM 主席和副主席在第 15 次 CCM 全体会议上指出的——即:未注册的草根/基于社区的组织可以成为类别组成员,并且可以参与选举其所在类别组 CCM 成员,也可以担任第 2.11 款中提到的"列席代表",但是不可以担任 CCM 成员。**Recommendation 7:** The CCM TOR should be amended to explicitly reflect the policy spelled out by the Chair and the Vice-Chair at the 15th CCM plenary meeting – namely, that persons from un-registered grass-roots/community-based organizations may be sector group members, and may take part in elections of their CCM members, and may serve as the "extra persons" mentioned in Clause 2.11, but may not serve as CCM members.

这需要 CCM 章程中的第 2.5 款从 This requires that Clause 2.5, item (1), in the CCM TOR be changed from

"在中国合法注册的机构、组织,或是中国公民" "Are legally registered to operate within China and/or are Chinese citizens"

改为 to

"在中国开展工作的机构、组织,或是中国公民(如果希望担任其所在类别组成员或者担任'列席代表',他/她不需要代表那些在中国合法注册的组织,但是如果希望当选 CCM 成员,他/她就需要代表那些在中国合法注册的组织。)""Operate within China and/or are Chinese citizens. (People do not need to represent organizations that are legally registered to operate within China if they wish to serve as Sector Group members or as "extra persons", but they do need to represent organizations that are legally registered to operate within China if they wish to be elected as CCM members.)"

(I) 第 2.6 款,第二局: "CCM 成员应通过公开透明、有记录的,本类别组制定的程序,由其类别组从其类别组中选择/选举产生。" Clause 2.6, second sentence: "CCM members should be selected/elected by their own sector(s) based on a documented, transparent process, developed within the sector."

评论: 这个修改很好,也与全球基金 CCM 指南基本一致。全球基金 CCM 指南指出 "代表非政府类别的 CCM 成员必须通过公开透明、有记录的,本类别组制定的程序,由其类别组从其类别组中选择/选举产生"。**Comment:** This is good, and is essentially identical to the Global Fund's CCM Guidelines, which state: "CCM members representing the non-government sectors must be selected/elected by their own sector(s) based on a documented, transparent process, developed within each sector."

(m) 第 2.7 款: "必要时,CCM 秘书处可协助某些类别组完成其代表推选过程"。 Clause 2.7: "If necessary, the CCM Secretariat will facilitate the process of selecting representative member for some sector groups".

评论: "协助"的意思很明确,就是帮助,或者支持。如果这样,使用这个词语是可以的,只要没有人错误地把"协助"解释为"控制"。**Comment:** "Facilitate" has a precise meaning – to help, or support. As such, the wording is fine, so long as nobody mis-interprets the word "facilitate" to mean "control".

(n) 第 3.12 款: "在决议做出时,至少有半数 CCM 成员在场,CCM 会议产生的决议方才有效。" Clause 3.12: "All decisions made at a CCM meeting are valid unless at least half of the CCM members are present at the time of the decision."

评论: 这里好像错了。 英文 "valid unless" 应该修改为 "only valid if"。 **Comment:** This appears to be a mistake. The words "valid unless" should presumably be "only valid if".

建议: 第3.12款的文字应该从"All decisions made at a CCM meeting are valid unless at least half of the CCM members are present at the time of the decision" 改为 "Each decision made at a CCM meeting is only valid if at least half of the voting CCM members were present at the time of the decision." **Recommendation 8:** The wording of Clause 3.12 of the CCM TOR should be changed from "All decisions made at a CCM meeting are valid unless at least half of the CCM members are present at the time of the decision" to "Each decision made at a CCM meeting is only valid if at least half of the voting CCM members were present at the time of the decision."

(o) 第 3.1(4)款: "CCM 主席和副主席应来自不同类别组或部委。" Clause 3.1(4): "The CCM Chair and the CCM Vice-Chair should be from different sector groups or ministries."

评论: 这一款中词语"部委"暗含着 CCM 主席和副主席可以都来自于政府部委。但是全球基金 CCM 指南指出"建议 CCM 从不同类别组选举主席和副主席。"不同部委不同于不同类别组。 **Comment:** The inclusion of the words "or ministries" in this clause suggests that the CCM Chair and Vice-Chair could

both be from government ministries. But the GF's CCM Guidelines say "It is recommended that CCMs elect a Chair and Vice Chair from different sectors." Different ministries don't count as different sectors.

建议: 第 3.1(4)款的文字应该从"CCM 主席和副主席应来自不同类别组或部委。"改为"CCM 主席和副主席应来自不同类别组。" **Recommendation 9:** The wording of Clause 3.1(4) of the CCM TOR should be changed from "The CCM Chair and the CCM Vice-Chair should be from different sector groups or ministries" to "The CCM Chair and the CCM Vice-Chair should be from different sectors."

注: 我们承认我们在(g)和(h)处的评论和建议与 CCM 选举无关。*Note:* We acknowledge that our comments and recommendations under (g) and (h) do not relate to the CCM elections.

附件 21: 对 CCM 各类组别所占比例的分析 Appendix 21: Analysis of CCM Percentage Breakdown Between Various Sectors

全球基金 CCM 指南(www.theglobalfund.org/pdf/5 pp guidelines ccm 4 en.pdf)建议 "CCM 成员至少要包含 40%的非政府部门,比如 NGO/社区组织、疾病患者、宗教/信仰 机构、私人部门和学术机构。" The Global Fund's CCM Guidelines (www.theglobalfund.org/pdf/5 pp guidelines ccm 4 en.pdf) say "The Global Fund recommends that … the membership of the CCM comprise a minimum of 40% representation of the non-government sectors such as NGOs/community based organizations, people living with the diseases, religious/faith-based organizations, private sector, academic institutions."

为了文字上的简洁,我们将使用"公民社会"一词简称 "NGO/社区组织、疾病患者、宗教/信仰机构、私人部门和学术机构",尽管"公民社会"有时更加狭义一些。For the sake of simplicity of wording, we will use the term "civil society" as shorthand for "NGOs/community based organizations, people living with the diseases, religious/faith-based organizations, private sector, academic institutions", even though "civil society" sometimes has a narrower meaning.

中国新 CCM 章程指出将会有 22 名 CCM 成员。其中 16 名有投票权,6 名没有投票权。 没有投票权的 6 个是 CCM 主席、副主席、三个疾病工作组的组长以及中央执行机构(目前就是中国疾病控制中心)。 China's new CCM TOR specify that there shall be 22 members. Of these, 16 shall be voting and 6 shall be non-voting. The non-voting six are CCM Chair, CCM Vice-Chair, the chairs of the three disease-specific working groups, and whoever is PR (namely, at present, China CDC).

CCM 章程认为中国疾病控制中心*不属于* 政府(意味着,用我们上面的术语表达就是,CCM 认为中国疾病控制中心是"公民社会"的一部分),尽管中国疾病控制中心在更早的 CCM 章程中被认为是政府的一部分。The CCM TOR regard China CDC as *not* being part of government (meaning, using our terminology above, the CCM TOR regard China CDC as being part of "civil society"), although China CDC was regarded as part of government in earlier drafts of the CCM TOR.

如果有人认为中国疾病控制中心、"人民团体"(如政府组织的非政府组织)、"私有/公有企业"都属于"公民社会",如果和现在一样,5个或者6个没有投票权的CCM成员来自于政府或者多边/双边机构,新CCM各类别组的比例将是这样的: If one regards China CDC and "Mass Organizations" (i.e. GONGOs) and "Private Sector / State owned enterprises" all as being part of "civil society", and if five of the six non-voting CCM members continue, as at present, to be from government or multi/bilateral agencies, the breakdown between the sectors in the new CCM is as follows:

政府+多边+双边:有投票权 Gov't + multilateral + bilateral: Voting

卫生部 Ministry of Health	1
其它政府部委 Other government ministries	4
多边组织 Multilateral organizations	2
双边组织 Bilateral organizations	2
总数: Total:	9

政府+多边+双边: 无投票权 Gov't + multilateral + bilateral: Non-voting	
CCM 主席 CCM Chair	1
CCM 副主席 CCM Vice-Chair	1
CCM 艾滋病工作组组长 Chair, CCM HIV/AIDS Working Group	1
结核病工作组组长 Chair, CCM TB Working Group	1
疟疾工作组组长 Chair, CCM Malaria Working Group	1
总数: Total:	5

"公民社会": 有投票权 "Civil society": Voting	
中国专业/教育机构 Academic/Educational Sector	1
中国人民团体(=政府组织的非政府组织)Mass Organizations (= GONGOs)	1
中国社会团体 Chinese Associations	1
国际非政府组织 International NGOs	1
中国以社区为基础的组织或其它非政府组织代表 CBO/NGO	1
感染者 PLWHA	1
私有/公有企业 Private Sector	1
总数: Total:	7

	"公民社会": 无投票权 "Civil society": Non-voting	
	中国疾病控制中心(作为中央执行机构)China CDC (as PR)	1
ĺ	总数: Total:	1

可以得到了下面的总数和百分比: This leads to the following totals and percentage breakdowns:

有投票权的 CCM 成员: Voting CCM members:		
政府+多边+双边 Gov't + multilateral + bilateral	9	56%
"公民社会" "Civil society"	7	44%
总数: Total:	16	100%

有投票权的+无投票权的 CCM 成员: Voting + non-voting CCM members:		
政府+多边+双边 Gov't + multilateral + bilateral	14	64%
"公民社会" "Civil society"	8	36%
总数: Total:	22	100%

评论: 如上所述,全球基金"建议"——不是"要求"——至少有 40%的 CCM 成员来自我们列入"公民社会"的类别。全球基金并没有对有无投票权成员加以区分。在 CCM 有投票权的成员中仅有 44%,算上无投票权的成员则只有 36%来自"公民社会"。这个比例在我们看来比理想中的要低。 Comment: As stated above, the GF "recommends", but does not "require", that at least 40% of the CCM's members should come in the category we have listed above as "civil society". The GF does not distinguish between voting and non-voting members. Only 44% of the CCM's voting members, and only 36% of the CCM's voting plus non-voting members, come in this "civil society" category. These percentages, in our opinion, are lower than is desirable.

建议 10: CCM 应该严肃评估是否稍微减少来自于"政府+多边+双边"的成员的数量,并且/或者稍微增加来自"公民社会"成员的数目。一个适当的做法是增加1-2 名代表社区组织/非政府组织类别组的成员的数目,就如同 2006 年 3 月 27 日的特别工作组会议上增加双边组织代表的数目一样。**Recommendation 10:** The CCM should seriously review whether to slightly decrease the number of government + multilateral + bilateral members, and/or to slightly increase the number of "civil society" members. A very appropriate step would be to increase the number of CBO/NGO members from one to two, just as the number of bilateral organization representatives was increased from one to two at the SWG meeting on 27 March 2006.

评估报告初稿存在重大证据遗漏!

公民健康状况与受教育权工作组

中国 CCM 类别组选举评估工作特别工作组:

我是来自"公民健康状况与受教育权工作组"的陆军,是 5 月份举行的"全国草根非政府组织全球基金研讨协商会"的两位召集人之一, 7 月 12 日,我参加了与 Bernard River 先生和邱仁宗先生的会见,就 CCM 类别组选举的评估调查工作发表了意见并进行了交流。

近日,我从万延海先生处得到了 7 月 18 日由 Bernard River 先生和邱仁宗先生撰写的《Review of China CCM Elections (Draft Report)》,阅读之后我认为其中存在着重大的证据遗漏。

一、关于基本事实描述中存在的重大证据遗漏

1.在报告的 5.A.12 中,这样描述: "Aizhixing, the organization run by Wan Yanhai, announced through its extensive email lists that it objected to the April 27 election, and urged many organizations not to take part. 爱知行,所长为万延海,在他们的广泛邮件组中发布了反对 4 月 27 日选举的声明,并且要求许多组织不要参与此次选举。"

- ——对于这个事实描述,我没有在报告初稿后面所附的证据中找到相应的能够证明爱知行"要求许多组织不要参与此次选举"的证据(相同的问题还发生在 5.B.10 中和 5.C."结论"(e)中)。根据我所收到的邮件组中的邮件和 MSN 会议记录,爱知行的态度与两位先生报告初稿中所说的正好相反,爱知行不但没有要求其他组织不要参与此次选举,而且大力支持和鼓励其他组织报名。我愿意提供我上面所提到的邮件证据(附件一)和 MSN 会议记录证据(附件二)。
- 2. 在报告的 5.A.16 中,这样描述: "······Then after the election results were known, Aizhixing complained, at least in certain conversations, that the person elected as CCM representative had been imposed by the government and had some kind of relationship with the government. 选举结果公布后,爱知行至少在某次谈话中指责,当选 CCM 正式代表的人曾被政府利用,并与政府有某种关系。"
- ——对于这个事实描述,我没有在报告初稿后面所附的证据中找到相应的证据。根据我从邮件组中收到的邮件和爱知行网站上公开的评论,爱知行对 4月27日选举的评论完全是针对选举程序的,没有找到针对选举结果的评论,也没有找到针对当选代表的评论(我所看到的爱知行对该次选举的公开评论在本邮件的"附件三"、"附件四"里)。鉴于上面所说的"某次谈话"在这个报告中显然应当被理解为公开谈话而不是私人谈话,我认为报告应当提供这次公开谈话的证据。
- 二、关于评估标准中存在的重大证据遗漏在 5.C 和 6.C 的"结论"部分这样陈述:

"The election was certainly flawed. But the main reasons that we did not give the election process a failing grade are: 我们没有给出不合格的打分的主要原因是:

(a) This is the first time that CCM elections have been conducted in China – "the baby is learning to walk, but somewhat unsteadily". (If the same sequence of events were to take place in a future election, we might well give that election a failing grade. By then, the baby should be capable of walking much more steadily.) 这是中国第一次进行 CCM 选举——"有如婴儿蹒跚学步"。(如果在今后的选举中再出现同样的问题,我们很可能就要给出不合格的打分了。因为,那时这个婴孩应该能够走得稳得多。)"

这里无疑是在说:判断选举程序是否合格的标准,并不是确定的,而是有弹性的,判断选举程序是否合格并不仅仅取决于选举程序是否符合"透明、有记录及类别组自主拟订"的原则,还要取决于这次选举是这个国家的第几次选举,如果是这个国家的第一次选举,那么,对于选举的标准和要求就可以放宽——很遗憾,我在报告的附件中,以及全球基金的任何文件中,都没有找到这样的证据,我认为,两位先生的报告应当提供足以支持上述判断标准的证据。

鉴于 Bernard River 先生和邱仁宗先生都曾经反复表示过对证据的重视,所以我提出上述意见,旨在希望两位先生的报告能够在证据方面得到补充和完善。使得最终报告能够符合事实并更加完整。

陆军 2006.07.21.

CCM 草根组织类别组代表和列席代表团关于 5 月份选举 更具广泛代表性的意见声明

我们获知,在 Bernard Rivers 先生和邱仁宗先生所撰写的评估报告初稿 5.A.19. 和 5.B.12. 中,对 5 月份 70 个草根组织自行进行的 CCM 草根组织类别组代表和列席代表选举,有关于选举代表性广泛度的描述,对此问题,我们的观点是: 5 月份的选举,无论从参加选举组织的代表性方面,还是从选举结果的代表性方面,都远远比 4 月份进行的由 CCM 秘书处召集的选举具有更为广泛的代表性。

- 一、4月份的选举人为设置了限制——"合法注册",从而将占该类别组主体的未注册草根组织排除在外,而5月份的选举则没有设置这一限制,因而更为开放;
- 二、4 月份的选举由 CCM 秘书处召集,而 5 月份的选举则由 9 个草根组织组成的组委会召集;
- 三、4 月份的选举只有 18 个组织参加,而 5 月份的选举有 70 个组织参加,两次选举参加者的数量相差悬殊;
- 四、4月份的选举,参加者需要自己负担差旅费用,因而限制了一些距离偏远的、经济 拮据的组织的参与,而5月份的选举,组委会为参会者提供差旅费方面的资助,从而使得更 多地来自偏远地区和农村地区的草根组织有条件参加选举;需要特别强调的是,这种资助对 所有需要的组织都是开放的,并不存在选择性,也和资助者与被资助者的关系无关。
- 五、4 月份的选举,选举出了一名正式代表和两名列席代表,而五月份的选举,则选举出了一名正式代表以及一个包括了两名列席代表在内的十二个组织的列席代表团,来共同代表草根组织行使本类别组在 CCM 中的权利。

附: 5 月份选举结果

当选正式代表:天津血友病联谊会会长王立新 列席代表:武汉馨缘工作组、 北京知爱行信息咨询中心 列席代表团:

(感染者组织类别组)河南省宁陵县康乐家、山西省迎春花小组、 河南柘城县艾滋病防治民间促进会;

(同志组织类别组)武汉馨缘工作组、彩缘新疆、大连彩虹工作组;

(血友病类别组)南京爱之园、安徽省血友病联谊会、山东血友病联谊会;

(其他类别组)北京知爱行信息咨询中心、山东菏泽民间弱势群体救助中心、 新疆雪莲花艾滋病教研项目组织

中国全球基金项目 CCM 以社区为基础组织或其他非政府组织类别组代表和列席代表团 天津血友病联谊会 王立新 2006 年 7 月 24 日

第六部分,媒体的相关报道

《金融时报》: 全球艾滋病基金旗下委员会选举引发争执

[日期: 20060613] 来源:《金融时报》 作者: 王明(Mure Dickie)北京

全球艾滋病、肺结核和疟疾基金(Global Fund to Fight Aids, Tuberculosis and Malaria)旗下一个委员会的选举问题引发很大争议,这个委员会负责监督该基金的对华捐赠。负责艾滋病问题的联合国艾滋病规划署(UNAids)将牵头对上述选举进行审核。

在围绕拥有 22 个席位的国家协调委员会(CCM)非政府及病患代表的选举争议中,联合国艾滋病规划署被视为一家正直的中间机构。CCM 负责数亿美元捐赠的监督工作。此番争议,有可能将人们的注意力从为中国的抗病工作筹措资金上转移开来。中国是全球人口最多的国家。

这同时也突显出中国政府与一批新兴的独立非政府组织之间的紧张关系。

译者/何黎

新闻链接: http://www.eviewweek.com/html/2006-06/73380.shtml

China NGOs say they're excluded from global AIDS fund

Thu May 18, 2006 8:32am ET By Ben Blanchard

BEIJING (Reuters) - A group of non-governmental organizations in China say the government has excluded them from participating in a global initiative against HIV/AIDS and are electing their own representative despite Beijing's opposition.

The more than 60 groups say the government imposed their own delegate on the Chinese coordinating board of the Global Fund to Fight AIDS, Tuberculosis and Malaria because of official distrust of independent groups.

At stake is more than \$300 million in grants, they say, which the board distributes and oversees.

The main U.N. AIDS body in China says it is worried the arguments are going to distract people from the fight against the disease, which last year caused 25,000 deaths in the country.

"It should be a partnership between government and civil society," Wan Yanhai, director of Beijing Aizhixing Institute of Health Education, told Reuters.

A government-sponsored election last month resulted in a group from the northeastern city of Shenyang being given a seat, Wan and other delegates said.

"They want to control the voice of civil society," he said. "They don't like independent voices."

Joel Rehnstrom, China country coordinator for UNAIDS which is involved in the fund, said he was aware of the dispute and it concerned him.

"The biggest potential impact is that attention is focused on the mechanics of the governance mechanism and representational issues, instead of focusing on making the projects more effective," he told Reuters by telephone.

"If this becomes a drawn-out issue then we're losing time and effort unnecessarily."

China's Health Ministry could not immediately be reached for comment.

China, which the Communists have run as a one-party state since 1949, is wary of groups it cannot directly control, although it does tolerate many independent AIDS groups.

Some activists say they need to be involved in the Global Fund to stop funds being abused.

"There has been corruption," said Lu Jun, who works for a group that fights discrimination in education for people suffering infectious disease. "Some government officials have used the money to buy cars and go on holiday."

The government was just making excuses to exclude NGOs, he added. "They said we did not have the ability to organize an election," Lu said. "We're doing this to show them we can."

UNAIDS' Rehnstrom said he appreciated that in China the government was still leery of independent groups.

"We have the government saying the right things in terms of wanting to promote increased NGO involvement, but it's also within limits," he said.

"The government still wants to be in control and wants to see NGOs in much more of a support or implementation role."

The Geneva-based fund, launched with great fanfare in 2002, has become the largest global supporter of malaria and tuberculosis programs and among the top three AIDS funders.

But it has struggled to win long-term financial backing from donors, the largest being Europe, the United States and Japan.

It has already approved grants worth \$5 billion to improve anti-retroviral and anti-malarial drug access, distribute bed nets and expand testing to stop the spread of tuberculosis.

中国 CCM 的选举难题

2006-6-13 15:51:29 • 来源: 新京报

这一掌控 3.9 亿美元的中国"全球基金"项目国家协调委员会改革中面临诸多困难河南省驻马店上蔡县郭屯村,最近构建的五级医疗救助体系中的最基层环节,中国 CCM的一些防治艾滋项目的申请成功,让人们对艾滋病的理解更为深刻。本报记者陈杰摄

■核心提示

一个中国协调委员会成员选举发生争议,目前其监督指导着 3.9 亿美元的抗击艾滋病、结核病和疟疾的全球基金项目,争议背后是与上述三病相关的草根组织的注册难题和感染者的身份甄别之难。这些难题伴随着此组织的改革出现,近日,联合国艾滋病规划署将对此次改革尤其是选举过程进行评估,以期完善相关机制。

□本报记者 李艳 北京报道

5月底,围绕着彩虹(化名)是否为结核病感染者成为一场选举争议中的焦点。

此前 5 月 22 日,在多轮选举后,她当选为中国全球抗击艾滋病、结核病和疟疾基金项目国家协调委员会(简称中国 CCM)感染者类别组一名列席代表,之后她的代表资格被搁置。

按规定,只有上述三项疾病的感染者才有资格参加选举,但彩虹是一名健康人士,不应 该有被选举资格。

这是此次选举引发的分歧之一。除参选者身份甄别之难外,另一个问题是,与上述三种疾病有关的草根组织的注册难题。

上述难题伴随一项改革而生,2004年底起,中国 CCM 自发进行一场改革,各类别组自主选举 CCM 代表成员是改革主要内容之一。在某种程度上,这些难题和困境影响了中国更好地利用全球资源,来解决中国区域内艾滋病、结核病和疟疾的防治问题。

一切从改革开始

中国 CCM 是为了帮助中国申请和执行全球艾滋病、结核病和疟疾基金(简称全球基金)项目,而建立的协调机制。

"它参与审议、批准和协调项目的申报,并监督、指导基金的使用和项目的进展。"

"主要是通过运用国际上尤其是发达国家捐款,来开展中低收入国家尤其是贫穷国家的这三种疾病的防治工作。"强正富介绍。中国疾病预防控制中心是中国 CCM 的中央执行机构 (PR),2002年成立。作为 PR 执行主任,强正富同时还是中国疾病预防控制中心国际合作处处长。

截至目前为止,中国通过这个机构,已成功申请到8个全球基金项目(5个正在执行), 批准资金共计3.9亿美元。

中国 CCM 最初成立时,由于没有相关经验,共有 54 个成员,来自政府、国际组织、学术机构、企业等各方面,机构庞大,是全球范围内最大的 CCM. "强正富介绍说。

初始成员并非选举产生

"原来 CCM 成员多,代表的却是各部门,参与程度不高。"强正富说。

2004年11月开始,中国CCM进行改革。2006年2月,中国CCM新的章程(试行)在CCM全体会议上正式通过。

新章程将54名成员削减为22名。

以政府部门类别组为例,新的成员则仅包括财政部、卫生部、司法部、教育部、药监局5名。大部分类别组只有一名正式成员代表。

"人员少了,但参与面扩大了。"比如专业和教育机构类别,其成员中央民族大学西部发展研究中心代表的不是本身,而是代表着整个学术机构,其需要向 CCM 反映该类别的意见,对 CCM 意见进行传达时,也是面向该类别的所有机构。

改革中另一个重要内容是,新的机构成员将由各类别组自身组织通过选举产生。此次引发分歧的两个类别组是感染者类别组和草根组织类别组。

谁来甄别"彩虹"们

新的选举制度中要求选举出艾滋病、结核病和疟疾的感染者代表。因为那些感染者更了解疾病患者的状态,也更关心防治项目在本地的实施情况,"他们当选后可以为感染者服务,并传递更多 CCM 信息。"一名参选感染者说。

"彩虹事件"的出现使得选举出现分歧。彩虹是黑龙江人,"我曾经得过结核,不过现在已经治愈了。"彩虹说,她当时的报名条件是感染者,她以为曾经感染也符合条件,就报名参加了选举。在经过数轮选举后,她最后当选为感染者类别列席代表。

彩虹的当选随即引发争议,有感染者向 CCM 秘书处举报了她是健康者。5 月 24 日,彩 虹接到 CCM 秘书处电话,要求其提供感染报告,她随即前往当地某医院拍片,并将报告单传至秘书处。

"报告单显示我曾感染结核,要是之前明确知道只有正患病的才能参加选举,我是不会 参加的了。"彩虹说。

此次感染者代表选举中,共有 116 名感染者报名,最终有 21 名感染者成为该类别组候选人。随后 5 月 22 日,共 20 人投票选举出该类别一名正式代表,两名列席代表。

正式代表与列席代表区别在于,后者没有投票权,列席会议时,须在 CCM 主席或副主席同意后才能发言。

有报名感染者同时指称,该类别组选举中,报名者身份未进行核实,除彩虹外,尚有数人身体健康却参与选举。记者采访到的一名报名者承认,他是健康人,却在报名表上写为艾滋感染者参与了选举。

感染者类别代表须在艾滋病、结核病、疟疾病三种疾病的感染者中产生。强正富说,由于后两种疾病可以治愈,当选者一般是艾滋病感染者。

强正富说,从选举程序上来甄别出报名者是否为感染者,"我们只能保证,最后当选的 代表,一定为感染者。"

感染者选举难题

"健康人报名参与感染者选举是很难识别的。起初没有考虑到有人会冒充艾滋病、结核病感染者报名。再者,感染者身份多不公开,许多感染者也未在相关部门进行登记,若对其人进行调查以期甄别身份,容易触及他人隐私。"强正富说。

4 月初,中国 CCM 秘书处开始进行感染者代表选举的召集协调工作,"除在网上公布选举通知外,同时还让各组织、各省 CDC 以及 CCM 办事处广泛发出了通知。"强正富说。

感染者类别组代表的选举原定于 4 月 27 日下午进行。

"由于当时是'五·一'黄金周前夕,若大量艾滋病人前往北京,可能引发当地不安,同时也担心在北京出现意外事件,所以我们更改了时间。"

强正富解释说,此前一天,秘书处致电报名者,将会议推迟。几名北京本地和另外几名依然如期到达的外地报名者共 10 余人参加了这个征求意见会。

一名与会者回忆,会议讨论得比较热烈,从两点开始,原定五点结束,结果一直开到快 六点。

会议确定了一些重要内容,"在报名较多地区进行预选;由于报名者互不相识,应补充相关个人信息等。""还确定了以通讯为主的投票方式(电子邮件、传真、邮寄、录音电话等)。"

4月29日, CCM 秘书处向116位报名者发出了补充信息表。但到了5月9日,只有73位报名者提交了补充信息表,秘书处视未补充信息者放弃被选举权。

有报名者称,河南驻马店地区遂平县 5 位感染者收到选票时,选举已经结束;而柘城县有 16 人未收到选票,并认为以通讯进行投票的方式不公正。

强正富说法与此不同,"我们这里有所有的材料,表明第一轮 116 人都进行了投票"。 投票方式也产了分歧。

"大家互相不认识,通讯投票根本起不到什么作用。"一位报名感染者认为,应是所有报名者见个面,当面进行介绍和选举。

"CCM 选举完全自费,很多报名感染者经济上困难,这么多人聚在一起也较困难,通讯投票操作简单易行。"另一名报名者持相反意见。

强正富则认为,秘书处作为选举召集人,主要工作是协调和记录,选举程序和选举方式是由该类别组自行商量决定的。

注册难题

"找不到挂靠单位。"朱生(化名)说。他是河南某艾滋病草根组织的负责人。 他介绍说,他多次前往当地民政部门咨询注册事宜,对方答复称需要相关挂靠单位。 他也去过当地卫生部门和疾控部门,寻求挂靠,却未能征得同意。最后注册未能完成。 很多类似组织的负责人有类似经历,他们表示,注册需挂靠在相关单位下已成为"不成文的规定"。

一草根组织负责人称,目前,内地独立的(无挂靠单位)艾滋病草根组织完成注册的,寥寥无几,其余则挂靠在卫生、疾控、妇联等部门下,另有一部分组织则在工商部门注册。按章程,参选组织需完成注册,由于有未注册组织前来,当时,有组织提议,推迟该类别组选举。

吉木阿洛,凉山彝族妇女儿童发展中心的常务副主任,她回忆,当时其他组织则认为,很多组织来自北京以外,千里迢迢赶来,由于与会全程自费,不同意延迟。有一些组织虽然没有注册,但确实做过不少工作。随后大家商讨决定,未注册组织有选举权,没有被选举权。

草根组织的注册困境一直为全球基金及中国 CCM 所考虑。会议记录表明,今年 2 月 20 日,中国 CCM 第 15 次会议中,与会成员提出,新的试行章程要求参选组织合法注册,却存在许多组织未注册的现实。

时任 CCM 特别工作组副主席单位世界卫生组织驻华代表贝汉卫与 CCM 特别工作组主席单位卫生部国际合作司副司长任明辉的回答称,未注册机构组织若对 CCM 感兴趣,可参与某些 CCM 会议,但不能成为正式成员。

"国内的草根组织就是这样一个现实。"强正富说,我国的草根组织刚刚起步,近几年 才有所发展,由于相关原因,大部分草根组织未进行注册。

吉木阿洛谈到,作为草根组织,注册相对困难。首先需要组织人员不能复杂,资金有其合法来源,并需与本地政府各部门保持良好沟通。她所在的组织去年3月在民政部门完成注册,是当地第一家注册的NGO组织,目前当地完成注册的NGO共有两家。

"我们规定,正式当选的中国 NGO 一定要是已在中国完成合法注册。"强正富说。

新生事物的完善

虽然选举已经结束,但上述分歧并未解决。

此番全球基金项目申请,已完成第五轮。中国第五轮申请的 3 个项目——在中国预防新一轮的 HIV 感染(项目金额 28902074 美元)、致力于解决影响中国控制结核病的主要障碍(项目金额 52889000 美元)、在中国中部地区遏制疟疾回升并减轻中部和南部贫困地区疟疾负担(项目金额 39410395 美元)全部获得批准。

强正富介绍,本月艾滋病和疟疾项目将完成协议签署,今年 10 月前,结核病项目也将 签署协议。协议签署意味着第五轮拨款开始。

强正富认为,此次选举作为新生事物,有需要完善的地方,需要"多理解、多支持、少对立,才会有更多更好的合作。"

新闻链接: www.thebeijingnews.com

自由亚洲电台关于全球基金草根类别和感染者类别选举的报道

为了监督国际捐助艾滋病防治工作基金在中国的运用,当局近日主导了两次选举,被民间团体质疑不够公平公正。以下是自由亚洲电台特约记者丁小的采访报道。

来自国际捐款抗击爱滋、结核和疟疾的全球基金的每年问中国的疾控工作投入大量资金量并要求国家协调委员会中有各阶层的代表,平衡及监督资金使用。中国全球基金项目国家协调委员会(CCM)感染者类别组选举结果星期三通告了结果,CCM 星期四发表公告指收到投诉一位被选出的参会代表冒称感染者。

有评论认为出现这种错误,是因为选举程序有严重的问题。原本定为当场投票的选举, 多次临时延期,后更改为传真投票。

不但 CCM 感染者类别选举被指黑箱作业,前不久举行的草根类别选举更被民间组织指为官方操纵,因为设定了"选举者和被选举者需是在中国合法注册的"这一条件,将没有官方背景无法注册的非政府组织拒之门外。

民间团体北京爱知行研究所所长万延海说:"中国政府严格限制非政府组织注册,中国绝大部分草根组织没法注册。但中国艾滋病最重要的工作都是由这些生活在或受疾病影响的人,在基层进行,理应有权选举自己的代表。在那个会场上一些无耻的官方组织也混进来跟草根组织一起选举,所以我们觉得4月27日的选举是官方操纵的,是违法的。"

官方的 CCM 草根类别选举结果迟迟没有公布, 9个民间团体召开了研讨协商会,并选出了代表,希望能出任 CCM 的成员,有效监督全球基金会对中国捐款的使用。

爱滋感染者、河南康乐家负责人的李喜阁也参加了这一次研讨会选举,比较官方和民间的选举,她有这样的感觉:"国家协调委员会在新闻媒体,各方面都没有公开说。爱知行他们举行的,有很多媒体、律师,基本上是公平公正的。像我个人报艾滋病这一块(官方的感

染者类别)传真机投票谁监督呀,想怎么骗就怎么骗。"

万延海星期三前往全球基金中国国家协调委员会秘书处秘书长、中国疾控中心国际处处长强正富的办公室,与其交流草根组织类别及感染者代表类别选举的问题。其间发生争执,对官方选举中不透明及操控选举的质疑,强处长的回应是:"我知道你在捣乱,所以不用理你。告诉过你我们选举已经结束了,你再搞一个选举就是对中国的捣乱。都知道你是在拿外国人钱为外国人服务,不是为中国人服务。"

感染者李喜阁认为这种指责是不合理的:"底下的事反应不到中央,所以我们就要借助 这些民间组织,做桥梁反映到卫生部、国外办。他们发出的声音最高,给卫生部、国外办提 了很多意见。"

万延海表示官方的这种态度,导致了多年缺乏公民社会的监督,大笔全球基金被滥用的情况:"河南双庙村一个卫生所,组织卫生部门40多官员去云南,去泰国旅游;诊所里3个摄像镜头监视病人一举一动,侵犯了他们的私隐;雇用警察对爱滋工作人员警醒软禁,24小时跟踪。我们看到全球基金的钱在中国,很多时候不是造福人民,是侵犯人权。"

卫生部疾病控制司副司长郝阳星期一接受本台访问时表示的确有收到类似投诉:"举报河南的借开会旅游,我们第一时间派人了解,不是开艾滋病会议,其实和艾滋没关系。几次举报查了都跟事实不相符。

当问到对一些非政府组织的看法时,郝阳说:"我一直是这个态度,包括对万延海也是,只要你做的对国家整个有益,我就觉得是应该做的。让客观来评判吧!"

以上是自由亚洲电台特约记者丁小的采访报道。

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