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20th Meeting of the UNAIDS Programme Coordinating Board
Geneva, Switzerland
25-27 June 2007

Provisional agenda item 3.2:

**Results of the Review of NGO/Civil Society participation in the
Programme Coordinating Board**

Document prepared by the NGO delegation to the Programme Coordinating Board

Additional documents for this item:

Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS (*conference room paper*)

Action required at this meeting – the Programme Coordinating Board is requested to:

Consider recommendations of the Independent Review.

Cost implications for decisions:

- i. US\$ 15,500 per biennium for each additional seat (paragraph 9)
- ii. US\$ 240,000 for the 2008-2009 biennium (paragraph 13)
- iii. USD 498,295 for the 2008-2009 biennium (paragraph 18)
- iv. USD 40,000 (paragraph 21)

Background

1. This review was conducted at the request of the current NGO delegation to the PCB with the objective to: “*assess the current strengths and weaknesses of nongovernmental organisations (NGO)/civil society participation in the PCB and to identify improvements for the future*”. As reflected in the findings, participation of the NGOs in the PCB has been inconsistent and there is a need to strengthen and institutionalise participation. The NGO representatives on the PCB take very seriously their responsibility to represent civil society concerns at the Board and the Review outlines some of the difficulties and constraints they face. By accepting the recommendations in the review and allocating the funds needed, the PCB NGOs will be able to carry out their roles more responsibly and increase their accountability to their regional constituencies, and to the UNAIDS PCB.

2. The full review, “Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS” (Review), will be made available as a conference paper at the 20th meeting as well as on the UNAIDS website at www.unaids.org/en/AboutUNAIDS/Governance/20070625-pcb20.asp. It includes a three-page executive summary, timeframe, methodology, number of informants interviewed¹, key findings, conclusions, and recommendations. The full Review should be considered along with this agenda item document.

Recommendations of the Review

3. The findings in the Review are informative, insightful and far-reaching. If the recommendations are implemented then NGO and civil society participation on the PCB will be substantially strengthened and improved. The four broad recommendations² are broken out into 16 sub-recommendations and further into some 77 specific recommendations. It is not possible to take action on so many recommendations altogether, some require debate, gradual implementation, and/or further development.

4. One of the key recommendations includes the need to “*support and resource the NGO Delegation and wider civil society to systematise and improve the selection, capacity, and working practices of the Delegation, and the quality and strategic impact of its interventions.*”³ This recommendation refers largely to changes that are internal to the NGO Delegation and many of which are already being implemented. The NGO Delegation has already begun to:

- a. Systematize and improve the recruitment and selection of new members of the NGO Delegation by:
 - i. Strengthening the selection criteria for incoming delegates;
 - ii. Refining a set of administrative tools; and
 - iii. Strengthening the interviewing process
- b. Improve the NGO orientation and strengthen its modus operandi by:
 - i. Developing its Core Values and Code of Conduct; and
 - ii. Rewriting its Terms of Reference.
- c. Improve the preparation and implementation of its interventions at the PCB by:

¹ There were a total of 88 informants interviewed, including current and former representatives of the PCB NGO delegations, member states, co-sponsors, UNAIDS Secretariat, as well as representatives from broader civil society.

² See page 22 of the full review – “Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS”

³ Middleton-Lee, S “Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS” (2007)

- i. Planning strategically and identifying civil society priorities; and
 - ii. Monitoring the development of PCB agenda items to identify key opportunities.
- d. Improve its accountability, by delegates taking proactive steps from regions with diverse constituencies to work with stakeholders throughout their region.

5. The focus for this agenda item therefore is on the recommendations from the Review that require the PCB's support and that can be acted upon relatively quickly or in the near future. The PCB is being asked to consider the following three main recommendations:

- a. Strengthened participation in the PCB
- b. Support to Civil Society Participation
- c. Support to the creation of a Consultation Facility and Resource Team

Recommendation 1: Strengthened participation in the PCB

"The PCB should incorporate the recommendations of this Review into the wider assessment of its overall structure. In particular, it should ensure that a strengthened Board gives the NGO Delegation full and equal voting, speaking, and chairing rights and provides a more engaging, independent and accountable global governance structure."⁴

6. Recommendations arising from the Review are timely in that they flow directly into agenda item 3.3 "UNAIDS role in strengthening global coordination on AIDS and development of the Programme Coordinating Board". Furthermore, the Review was carried out at a time of broader UN reform and growing support for NGO participation in the Programme Coordinating Board as evidenced at the 19th meeting in Lusaka, Zambia in December 2006. For example, it was recommended at this meeting that the conventional speaking order of members (member states, co-sponsors, NGOs) be abandoned.

7. The recommendation from the Review on participation specifically addresses these issues of equitable status (voting, speaking and chairing) on the PCB for representatives of NGO's, community organizations, service providers and those most affected by the epidemic. As the Review highlighted, an additional designated seat for people living with HIV (PLHIV) would be an important step towards ensuring that the GIPA principle is institutionalised within the PCB. This would bring it in to line with the good practise of other organizations such as the GFATM, and would improve the relevance, acceptability and effectiveness of decision-making at the PCB⁵. Furthermore, removing the requirement for the PCB to formally agree to the names of newly nominated NGO delegates would increase their independence within the PCB and their credibility amongst their constituencies. It would also reduce the administrative time constraints for the yearly nomination and recruitment process.

8. Therefore, for specific consideration under this recommendation the PCB is requested to:
- a. Agree to the NGO Delegation having a full and equitable role in the Programme Coordinating Board by:
 - i. providing equal voting and speaking rights;
 - ii. modifying the selection process for the Chair and Vice Chair to enable the NGO delegation to hold the positions in rotation;

⁴ Middleton-Lee, S "Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS" (2007)

⁵ UNAIDS Policy Brief, "The Greater Involvement of People Living with HIV (GIPA)" (2007).

- iii. allocating an additional PLHIV seat (in addition the PCB NGO Delegation will adopt a new code of conduct which specifies a minimum representation of PLHIV within the NGO Delegation as a whole); and
 - iv. removing the need for formal approval of the NGO Delegates by the PCB.
- b. Endeavour to be an engaging, independent and accountable global governance structure by considering specific seats to facilitate the involvement of other types of non-state sectors, such as foundations, the private sector and labour groups.

9. The financial implications of these recommendations are USD 15, 500 per biennium for each additional seat (travel plus per diem), assuming that the delegate is funded by UNAIDS and that there are three Programme Coordinating Board sessions per biennium.

Recommendation 2: Support to Civil Society Participation

“UNAIDS staff at all levels should further institutionalise and strengthen support to civil society participation⁶ in the PCB. The Secretariat should review UNAIDS’ overall profile within the global response to the AIDS and its involvement of civil society in processes beyond the PCB,”

10. The PCB has made repeated statements of support for the meaningful involvement of civil society in the work of the Joint Programme. The Review highlights the essential role of the Secretariat in strengthening the participation and effectiveness of the NGO Delegation to the PCB. This recommendation outlines practical steps to turn these PCB commitments into action that will strengthen support to the delegation.

11. The lack of permanency of the supporting role within UNAIDS Secretariat limits their ability to provide the necessary institutional memory and support to a continuously renewed and evolving NGO delegation. Long-term support required from a permanent position within the Secretariat includes providing advice on opportunities to engage in the PCB agenda, and to act as the main contact point between the Delegation and the UNAIDS regional offices, other Secretariat departments, member states and co-sponsors. This role provides a link between the governance and operational roles of UNAIDS in supporting civil society involvement in the global AIDS response. In addition, on-going financial and logistical support is required for NGOs to be able to attend meetings and orientations.

12. Therefore, the PCB is requested to request the UNAIDS Secretariat to institutionalise and strengthen their commitment and support to the participation of civil society in the PCB by:

- a. Ensuring that support to the NGO Delegation is included in the formal job description of a permanent, core staff position (current support is 50% of a short-term contract position).
- b. Continuing to provide financial and logistical support for all NGO Delegates to attend PCB meetings and annual NGO orientations (this support is ongoing and already foreseen in the draft Unified Budget and Workplan for 2008 – 2009, but should be endorsed in principal by the Board as a fundamental commitment of support to the PCB NGO Delegation.)

⁶ Middleton-Lee, S “Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS” (2007)

- c. Systematising the relationship and facilitating high-level, formal introductions between UNAIDS country, regional and international offices to the NGO delegates representing their region; and
- d. Institutionalising the involvement of NGO Delegates in relevant regional UNAIDS initiatives.

13. The financial implications of these recommendations are USD 240,000 for the 2008 – 2009 biennium, for conversion of the current short-term 50% contract Secretariat staff position to full- time and fixed term.

Recommendation 3: Support to the creation of a Consultation Facility and Resource Team

“All relevant stakeholders – including the PCB, UNAIDS Secretariat and international donors – should endorse and mobilise resources for an independent Communication and Consultation Facility and Resource Team to enhance the participation of the NGO delegation, and wider civil society in the PCB.”⁷

14. One of the key issues identified by the Review was the limited capacity of the NGO Delegates to be able to communicate and consult effectively and routinely with their constituencies and to access technical knowledge from within the sector. A Communication and Consultation Facility (CF) and a Resource Team was proposed in the Review as a means to build on and complement the support currently being provided by the UNAIDS Secretariat. The UNAIDS Secretariat will continue to provide the liaison, coordination and logistical support to the PCB NGO delegation particularly in linking the PCB NGO delegation to UNAIDS Secretariat, regional, country offices and senior management. In addition to the tasks specified in para 16 the CF will support the delegation by linking them to other civil society groups focusing on HIV and AIDS such as the CS delegations to the GFATM and actively develop and nurture a ‘pool’ of civil society representative who will provide technical support and advice to the NGO Delegation on issues relevant to the global HIV and AIDS issues and the UNAIDS PCB agenda. This resources team will be made up of representatives from regional and international organizations, PLHIV and representatives of vulnerable communities

15. With the ongoing collaboration and support provide by the UNAIDS secretariat, the CF will be instrumental in increasing the quality of NGO participation in the PCB. The success of the CF will be measured by the extent to which it has been able to ensure greater accountability, enhanced communication and input from civil society including PLHIV networks, sub-regional groups, and civil society representatives in other international institutions and initiatives such as the Global Fund. The CF would promote a better understanding of the role of NGO representatives on the PCB and will ensure continuity, long term planning and collaboration with other UN and global initiatives.

16. The CF is intended to provide the delegation with a base for independent support, both for the PCB meetings and also for ongoing activities throughout the year, including outreach to wider civil society. To ensure autonomy, it is intended that the CF would be contractually administered through the UNAIDS Secretariat but that its creation, implementation and performance management would belong to the NGO Delegation. A contract to run the CF would be awarded on a competitive basis to an appropriate international NGO whose primary area of work is HIV and AIDS, for a two-year period (to align with the UBW biennial cycle), be accountable to the PCB delegation, and their performance will be reviewed annually. The competition for the CF will be run every two years.

⁷ Middleton-Lee, S “Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS” (2007)

17. The CF will be responsible for providing technical and logistical support to the delegation to improve their effectiveness. Activities will include:

- a. Managing the recruitment and orientation process for new members;
- b. Liaising with other civil society networks, such as NGO and community representatives on the GFATM;
- c. Developing an international NGO resource team or contact group made up of civil society technical experts who can provide ongoing support to the NGO Delegation on matters relevant to the PCB agenda.
- d. Facilitating conference calls;
- e. Commissioning research relevant to the PCB agenda items;
- f. Hosting an interactive website to engage civil society in a dialogue on PCB issues; and
- g. Fundraising for additional activities to support civil society participation and consultation.

18. The PCB is requested to endorse the establishment of an independent communication and consultation facility to strengthen the NGO delegation to the PCB. The cost of the CF is USD 498,295 over two years. This represents the core cost for the CF and related direct expenses. The CF will be required to raise funds for additional support to support complementary activities.

Next steps

19. A number of outstanding pieces of work recommended by the review of NGO participation in the PCB fall between the responsibility and capacity of the NGO delegation, the UNAIDS Secretariat and the proposed Communication Facility. To ensure that these recommendations are carried out the NGO delegation proposes that a short term consultant is hired with the following terms of reference.

20. In close collaboration with the PCB NGO delegation, UNAIDS Secretariat and Communication facility:

- a. Develop an NGO Delegates' manual to form the basis of the orientation.
- b. Re-write the Terms of Reference for the NGO Delegation in the form of a more clear and succinct 'job description'
 - i. clarify areas of current confusion (such as whether Delegates stand as individuals or organisations and how/why tenure is extended);
 - ii. consider increasing the expected allocation of a Delegate's working time to 25%;
 - iii. develop a strong vision, principles and code of conduct for the NGO Delegation that is formally signed up to by all members and re-visited at every orientation, in particular, ensuring that these complement the *Code of Good Practice for NGOs Responding to HIV/AIDS*.⁸
- c. Build on the vision, principles and code of conduct by developing and implementing a formal system of performance appraisal for NGO Delegates, outlining, for example, action to be taken if a Delegate does not consult with their constituents or actively participate in PCB meetings.

21. The cost of the consultancy to support the transition to the CF is USD 40,000 for the period July 1, 2007 to March 1, 2008. This represents the consultant fees and related direct expenses and a donor will be sought to cover this unbudgeted expense.

⁸ *Renewing Our Voice: Code of Good Practice for NGOs Responding to HIV/AIDS*, Oxfam Publishing, 2004.