

UNAIDS/PCB(23)/08.29  
17 October 2008

**23<sup>rd</sup> Meeting of the UNAIDS Programme Coordinating Board**  
**Geneva, Switzerland**  
**15-17 December 2008**

**Increased involvement of civil society in the Programme  
Coordinating Board**

**Document prepared by the PCB NGO Delegation**

**Action required at this meeting - the Programme Coordinating Board is invited to approve the following recommendations presented by the NGO Delegation:**

**Area for action A: Civil society participation in Member State delegations**

**Recommendation 1:** The Programme Coordinating Board recognizes that Member States could further strengthen the evidence-base and comprehensiveness of their contributions to Board discussions - by more systematically incorporating the ideas and experiences of civil society, particularly people living with HIV and affected communities, into their delegations. The Programme Coordinating Board:

- 1.i. Encourages Member States to integrate one or more representatives of civil society, including people living with HIV and affected communities, within their national delegations to Programme Coordinating Board meetings.
- 1.ii. Encourages those Member States to select representatives in collaboration with national civil society and to support the representatives to consult widely with their constituents prior to Programme Coordinating Board meetings.
- 1.iii. Recommends that the UNAIDS Secretariat ensures that country offices and Regional Support Teams identify ways to provide resources to Member States that are not able to fund civil society participation in their delegations.

**Resource implications:**

- 1.i. None
- 1.ii. None
- 1.iii. Estimated up to \$126,000 per year

**Area for action B: Transparent and accountable functioning of the Programme Coordinating Board**

**Recommendation 2:** The Programme Coordinating Board and UNAIDS Secretariat could enhance the high quality and timely contributions that all sectors bring to the development of the Programme Coordinating Board agenda and the key documents for decision – by working in partnership and strengthening transparency and accountability within the relevant development processes. The Programme Coordinating Board:

- 2i. Requests the Programme Coordinating Board Bureau to host at least two of its meetings 'in person' in the lead-up to each Programme Coordinating Board meeting – and to provide resources to those members, including the representative of the NGO Delegation, that are unable to cover their costs.
- 2ii. Requests the Programme Coordinating Board Bureau to provide a simple 'road map' for how each key document for decision will be conceptualized, developed and finalized and when/how different stakeholders, including civil society, can contribute.
- 2iii. Encourages all relevant stakeholders to submit their key documents for decision at least 8 weeks prior to Programme Coordinating Board meetings - to facilitate timely translation and enable comprehensive consultation among all sectors, including civil society.

**Resource implications:**

- 2i. Estimated \$10,648 per year
- 2ii. None
- 2iii. None

**Area for action C: Liaison between regional NGO delegates, UNAIDS and Cosponsors**

**Recommendation 3:** The Programme Coordinating Board could enhance the regional-based contributions made to Programme Coordinating Board meetings – by supporting greater collaboration: between the regional NGO delegates, UNAIDS Regional Support Teams and regional offices of Cosponsoring Organizations; and by providing opportunities for those key stakeholders to consult with wider civil society, including people living with HIV and affected communities, in their region. The Programme Coordinating Board:

- 3i. Requests the UNAIDS Regional Support Teams to allocate adequate opportunities and resources to ensure civil society engagement at the regional level. This should include the participation of regional NGO delegates in relevant parts of Regional Management Meetings and the provision of other opportunities to strategize with UNAIDS and Cosponsor contacts in their region.
- 3ii. Calls upon the UNAIDS Secretariat to enable the Regional Support Teams to make a financial contribution towards, and fully engage with, an ‘NGO caucus’ in each of the 5 regions represented by the NGO Delegation. These will be co-hosted by the Regional Support Team, regional NGO delegates and the NGO Delegation’s Communications Facility. They will aim to both update constituencies on Programme Coordinating Board processes and agenda items, and to solicit input on the priority issues and needs of civil society, including people living with HIV and affected communities.

**Resource implications:**

- 3i. Estimated \$8,350 per year
- 3ii. Estimated \$100,000 over two years

**Area for action D: Priorities to be emphasized in Independent Evaluation of UNAIDS**

**Recommendation 4:** The Programme Coordinating Board notes the NGO Delegation’s commitment to raising priority issues of concern to civil society within the Second Independent Evaluation of UNAIDS. The Programme Coordinating Board acknowledges the NGO Delegation’s efforts to:

- 4i. Ensure that the Independent Evaluation of UNAIDS includes - as a complement to the *‘Independent Review of Civil Society Participation in the UNAIDS Programme Coordinating Board’* - a similar analysis of the strengths and weaknesses of civil society participation within UNAIDS more widely. This should address processes, relationships and results at national and regional levels, as well as within global policy-making processes that go beyond the Programme Coordinating Board.
- 4ii. Ensure that the Independent Evaluation includes – as part of its review of the governance of UNAIDS and the participation of civil society – an analysis of the NGO Delegation’s voting status within the Programme Coordinating Board. This should include: wide-based consultation with Programme Coordinating Board stakeholders; an examination of the historical and current structural and legal basis of current practice; and an analysis of models of civil society participation in other global Boards, particularly within the UN system, and their potential for replication within UNAIDS.

**Resource implications:**

- 4i. To be costed by the Evaluation Team as appropriate.
- 4ii. To be costed by the Evaluation Team as appropriate.

**Area for action E: Review of civil society participation in the Programme Coordinating Board in 2010**

**Recommendation 5:** The Programme Coordinating Board could continue to provide formal opportunities for discussion and decision-making concerning the participation of civil society in the governance of UNAIDS. The Programme Coordinating Board:

- 5i. Agrees to schedule an agenda item to review progress towards increasing and improving civil society participation and, in particular, to review the implementation of relevant recommendations from the Independent Evaluation, in a Programme Coordinating Board meeting in 2010.

**Resource implications:**

- 5i. None

[Notes on resource implications: More detailed explanations of costs are provided in Section 3. The resources outlined have not been included in the current Unified Budget and Workplan (UBW) for UNAIDS. If the Programme Coordinating Board wishes to approve these recommendations to be effective immediately, funds will need to be allocated on an exceptional basis. If the Programme Coordinating Board wishes to approve the recommendations to be effective with the new UBW, the costs should be incorporated into the relevant planning process]

## I BACKGROUND

1. Since its inception in 1996, the Joint United Nations Programme on AIDS (UNAIDS) has formally incorporated civil society within its governance structure – a ground-breaking measure within the UN system.
2. The Programme Coordinating Board of UNAIDS includes a 10-member NGO Delegation. There are Board Members and Alternates for five geographic regions: Africa, Asia and the Pacific, Europe, Latin America and the Caribbean, and North America. The NGO Delegation has full speaking rights, but is *“without the rights to take part in the formal decision making process and without the right to vote.”*<sup>1</sup> It is able to participate in key mechanisms relating to the Board, including the Programme Coordinating Board Bureau, plenary discussions and the drafting room.
3. The inclusion of civil society as an integral part of the Programme Coordinating Board is acknowledged to bring significant ‘added value’ to the policy-making and governance of UNAIDS. The NGO Delegation brings *“vibrancy, passion and a reality-check.”*<sup>2</sup> It, in particular, enables the Programme Coordinating Board to be more responsive and accountable to the real issues and needs of people living with HIV and affected communities.

**The GIPA principle**

*“GIPA is not a project or programme. It is a principle that aims to realize the rights and responsibilities of people living with HIV, including their right to self-determination and participation in decision-making processes that affect their lives.”*

Policy Brief: The Greater Involvement of People Living with AIDS, UNAIDS, 2007
4. In 2006, after UNAIDS marked its tenth anniversary, an Independent Review<sup>3</sup> was carried out of civil society participation in the Programme Coordinating Board. This extensive process involved 88 stakeholders, including 38 in-depth interviews with representatives of Member States, Cosponsoring Organizations, UNAIDS Secretariat, NGO delegates and wider civil society. The Review identified strengths and weaknesses, both within the NGO Delegation itself and within the Programme Coordinating Board’s structures and processes. It made four key recommendations and offered an ambitious list of over 70 ‘options for action’ – ideas of practical ways to enhance civil society participation that should be considered over time.
5. In June 2007, the recommendations from the Independent Review were presented in agenda item 3.2 of the 20<sup>th</sup> Programme Coordinating Board Meeting. The subsequent discussions led to some vital recommendations being approved. For example, the Board endorsed the establishment of an *“independent communication and consultation facility to strengthen NGO participation and support effectiveness of NGO country-level voices in Programme Coordinating Board policy dialogue”* and requested that the Facility be supported by the UNAIDS Secretariat. Meanwhile, some other recommendations, such as that the NGO Delegation should be granted voting status, were not endorsed and many of the ‘options for action’ were not directly addressed.
6. The 20<sup>th</sup> Programme Coordinating Board Meeting also mandated that a further opportunity be provided to discuss the *“forward looking mechanisms”* for increasing civil society participation in the Board.<sup>4</sup> As such, this agenda item within the 23<sup>rd</sup> Meeting facilitates an opportunity to both provide the Programme Coordinating Board with an update on actions implemented since the Independent Review and to propose 5 further concrete recommendations.

<sup>1</sup> Resolution 1995/2, Economic and Social Council, United Nations.

<sup>2</sup> (2007), Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS.

<sup>3</sup> The full text of the Independent Review is available at [http://data.unaids.org/pub/ExternalDocument/2007/review\\_ngo\\_participation\\_item\\_3.2\\_en.pdf](http://data.unaids.org/pub/ExternalDocument/2007/review_ngo_participation_item_3.2_en.pdf)

<sup>4</sup> Decision 9.4, 20<sup>th</sup> Meeting of the UNAIDS Programme Coordinating Board, June 2007.

7. The NGO Delegation welcomes the strategic timing of this agenda item - in the lead up to the Second Independent Evaluation of UNAIDS. It notes the vital opportunity that the Evaluation provides to explore fundamental issues relating to UNAIDS, including those concerning working with civil society and governance,<sup>5</sup> and welcomes the prospect presented to the NGO Delegation to engage.

## II CONTEXT - PROGRESS SINCE THE INDEPENDENT REVIEW

8. This paper is contextualized within the significant progress that has been achieved since the implementation of the Independent Review in relation to the participation of civil society in the UNAIDS Programme Coordinating Board. In particular, this includes progress concerning:
9. **NGO Delegation to the Programme Coordinating Board - enhanced communication and coordination:** With the endorsement of the Communications Facility at the 20<sup>th</sup> Programme Coordinating Board and the provision of \$500,000 over two years by the UNAIDS Secretariat, the Communications Facility is now fully operational. It provides secretariat infrastructure and significant consultation and communications support to the NGO Delegation. The Facility is co-hosted by the World AIDS Campaign (WAC) and Health and Development Network (HDN), with assigned staff based in Brussels and Chiang Mai. It functions independently from, but in close liaison with, the UNAIDS Secretariat. Within its first six months, it has already supported the NGO Delegation to:
- Operationalize its updated terms of reference, code of conduct and operations manual.
  - Strengthen its internal communications and ensure administrative/systems infrastructure.
  - Develop information resources on the Programme Coordinating Board and the NGO delegation for civil society constituents, including communiqués on Programme Coordinating Board meetings and a public website.
  - Undertake the recruitment of four new members of the NGO Delegation.
  - Enhance its collaboration with other civil society leaders in the response to HIV. For example, the Facility coordinated participation in a strategic planning meeting with the civil society delegations to the governance structures of UNITAID, the Global Fund to Fight AIDS, Tuberculosis and Malaria (the Global Fund), the Global Alliance for Vaccines and Immunization (GAVI) Alliance and the International Health Partnership (IHP+).
  - Strengthen its relationship with other members of the Programme Coordinating Board, for example by coordinating a series of briefings with Member State delegations at the XVII International AIDS Conference, Mexico.
10. **Programme Coordinating Board – clarified processes and strengthened commitment to civil society participation:** During, and subsequent to, the Independent Review, the Programme Coordinating Board has clarified or strengthened key aspects of the ‘mechanics’ of civil society participation in its structures and processes. Examples of these include:
- Increasing opportunities for the NGO Delegation to meet with key players - such as the Chair, the Vice Chair and the Committee of Cosponsoring Organizations - prior to each Programme Coordinating Board meeting.

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<sup>5</sup> Paragraph 2.19: “The evaluation will need to explore the challenges to meaningful involvement and the contribution of civil society and organisations of people with HIV to tackling the epidemic”; and paragraph 2.22: “The need to review the mandate of UNAIDS and the roles, responsibilities and modus operandi of governance and accountability structures has been identified by earlier reviews and will be addressed by the evaluation.” ITAD and HLSP (5<sup>th</sup> September 2008), The Second Independent Evaluation of UNAIDS 2002-2008: Draft Inception Report.

- Confirming an equitable speaking order among the Programme Coordinating Board members, including the NGO Delegation.
  - Operationalizing the use of the five guiding principles for UNAIDS work as a preamble to all Programme Coordinating Board decisions, recommendations and conclusions. These include that initiatives be *“based on the meaningful and measurable involvement of civil society especially people living with HIV and populations most at risk of HIV infection.”*<sup>6</sup>
11. **Wider UNAIDS processes – structured engagement and enhanced profile of civil society:** Complementing progress relating to the Programme Coordinating Board, UNAIDS has taken steps to enhance and systematize the involvement of the NGO Delegation and wider civil society within key policy-making processes related to HIV. A particularly significant example was provided by the High Level Review Meeting in June 2008 which assessed progress towards the UNGASS Declaration of Commitment and Political Declaration on AIDS. Here, a Civil Society Task Force was formed to support the President of the General Assembly and UNAIDS in key decisions related to the meeting and to ensure effective and active civil society participation. Alongside members of wider civil society and affected communities, the Task Force included a representative of the NGO Delegation.
12. **Global frameworks for response to HIV – provision of specific opportunities for civil society engagement:** UNAIDS has also continued to promote national and global frameworks for the response to HIV that have civil society participation enshrined within them. Examples of these include the ‘Three Ones’<sup>7</sup>, the Declaration of Commitment<sup>8</sup> and Universal Access.<sup>9</sup> In addition to these mandates, an increasing number of opportunities are presented by key institutions within the global response to enable civil society to be engaged and receive support. Examples of these include Dual Track Financing (DTF) and Community Systems Strengthening (CSS) – initiatives by the Global Fund that potentially provide civil society with access to significant resources and influence.
13. **Global governance of response to HIV - replication of UNAIDS good practice of civil society participation:** The principle and model of civil society participation established by the Programme Coordinating Board has continued to provide a catalyst for action within other governance structures relating to the global response to HIV. Examples of these include: the Board of UNITAID (which includes NGO and Communities delegations, both with full speaking and voting status); the Board of the Global Fund (which includes Southern NGO, Northern NGO and Communities delegations, all with full speaking and voting status); and, more recently, the emerging coordination mechanism for the IHP+ (which will involve representatives of civil society constituencies from the South and North).

<sup>6</sup> Decision 7.1 of Agenda Item 4.2, 19<sup>th</sup> Meeting of the UNAIDS Programme Coordinating Board, December 2006.

<sup>7</sup> The ‘Three Ones’ principles are: one agreed HIV/AIDS Action Framework; one National AIDS Coordinating Authority; and one agreed country-level Monitoring and Evaluation System. For example, the One National AIDS Coordinating Authority is required to commit to *“broad inclusion and participation, including full membership by civil society, non-governmental organizations, community-based groups [and] people living with AIDS”*. UNAIDS (2004), ‘Three Ones’ Key Principles: Coordination of National Responses to HIV/AIDS – Guiding Principles for National Authorities and Their Partners.

<sup>8</sup> Paragraph 94: *“Conduct national periodic reviews with the participation of civil society, particularly people living with HIV/AIDS, vulnerable groups and care givers, of progress achieved in realizing these commitments.”* United Nations General Assembly Special Session on AIDS (2001), Declaration of Commitment.

<sup>9</sup> Paragraph 20: *“Commit ourselves to pursuing all necessary efforts to scale up nationally driven, sustainable and comprehensive responses to achieve broad multisectoral coverage for prevention, treatment, care and support, with full and active participation of people living with HIV, vulnerable groups, most affected communities, civil society and the private sector, towards the goal of universal access to comprehensive prevention programmes, treatment, care and support by 2010.”* United Nations General Assembly (June 2006), Political Declaration on HIV/AIDS.

### III AIM AND DEVELOPMENT PROCESS FOR THIS PAPER

14. This paper responds to recognition by the NGO Delegation and others that – despite the welcome progress that has been made - more still needs to be done to put the imperative and value of civil society participation into full and effective action within the governance of UNAIDS. As such, this paper aims to advocate for 5 recommendations to ensure that the needs, concerns and ideas of civil society - particularly people living with HIV and affected communities - are voiced more accountably and comprehensively, and used more systematically and effectively, within the Programme Coordinating Board.
15. This paper is based on two main sources of research: the original Independent Review (re-visited to identify outstanding recommendations that still require action) and a Focused Consultation among key stakeholders (carried out to ‘move forwards’ and respond to the current context of civil society, UNAIDS and the Programme Coordinating Board).
16. The Focused Consultation was initiated by the NGO Delegation and implemented by its Communications Facility and a consultant, under the guidance of an informal international Advisory Group.<sup>10</sup>
17. The Focused Consultation was carried out within a short timeframe (September 2008). It involved a modest, but carefully selected, group of respondents – aiming to complement the comprehensive Independent Review with a ‘snap shot’ of up-to-date developments, opinions and issues. The Consultation solicited input on a draft list of recommendations prepared by the NGO Delegation, with respondents encouraged to express their agreement / disagreement, make improvements to the texts and suggest additional recommendations.
18. The Focused Consultation used three methodologies:
  - **Interviews with 25 key informants**, representing a cross-section of Programme Coordinating Board stakeholder groups, including Member States, Co-Sponsoring Organizations, UNAIDS Secretariat and wider civil society [see Annex 1 for a list of interviewees].
  - **E-consultation with 183 members of wider civil society**, using an 11-question e-survey in the 5 UN languages (Chinese, English, French, Russian and Spanish). This was disseminated to regional and global networks - such as the International Treatment Preparedness Coalition (ITPC) and International Council of AIDS Service Organizations (ICASO) - through the communications infrastructure of WAC and HDN. The responses included 34% from Africa and 35% from Asia and the Pacific. Nearly half (45%) were from representatives of either community based organizations or national NGOs/networks, while 11% were from groups or networks of people living with HIV. [See Annex 2 for a summary of key findings].
  - **Focus group discussions with 3 groups of civil society stakeholders**. These involved representatives of the: current NGO Delegation to the Programme Coordinating Board; HIV Strategy Group of the Ecumenical Advocacy Alliance (EAA); and civil society delegations to other governance structures within the global response to AIDS, including the Board of the Global Fund.
19. This paper reflects the combined input received from the Independent Review and Focused Consultation. It articulates the views and recommendations of the NGO

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<sup>10</sup> Members of the Advisory Group: Michael O'Connor, NGO Delegation to the Programme Coordinating Board; Gulnara Kurmanova, NGO Delegation to the Programme Coordinating Board; Jacqueline Wittebrood, International Civil Society Support (ICSS); Carol Nyirenda, Civil Society delegate to UNITAID; Kieran Daly, International Council of AIDS Service Organizations (ICASO); Odilon Cuzon, Health and Development Network (HDN); and Prateek Suman, Youth Coalition for Sexual and Reproductive Rights.



Delegation. It does not necessarily reflect all of the specific opinions of individual respondents involved in the processes.

### **What does the term ‘meaningful participation of civil society’ mean to you?**

Examples of responses to the NGO Delegation’s e-survey of wider civil society:

*“The voices of representatives of nongovernmental organizations and persons living with or affected by HIV and AIDS have direct access to, and voice in, the work of the UNAIDS Programme Coordinating Board.”*

*“This means full and equal access to meetings and full and equal participation in all levels of decision-making.”*

*“Participation of civil society becomes a driving force.”*

*“Civil society actively participates in policy formulation, priority setting, strategic planning, resource mobilization and allocation, monitoring and evaluation, and networking activities in the global response to HIV.”*

*“A genuine form of participation and not merely tokenism, meaning that the views and voice of civil society is heard and taken seriously into consideration.”*

*“Civil society ... have the power to hold authorities accountable for their actions.”*

*“The feeling, thought, challenges, ideas and successes of civil society are fully heard and represented in decision making, planning and implementation processes.”*

*“It is about paying special attention to the needs of marginalized people in society. It is about mobilizing marginalized people in society to inform decision-making processes.”*

## **IV AREAS FOR ACTION AND SUPPORTING RECOMMENDATIONS**

20. Based upon the context outlined, combined with the findings of the Independent Review and Focused Consultation, this paper promotes 5 recommendations to be endorsed, supported or encouraged by the Programme Coordinating Board.
21. The implementation of these recommendations will be complemented by ongoing efforts by the NGO Delegation [see section 2.2] to increase its own efficiency and effectiveness and, in turn, further enhance the quality and accountability of its contributions to the Programme Coordinating Board.
22. The following text presents areas for action, background information, recommendations and resource implications:

### **Area for action A: Civil society participation in Member State Delegations**

23. **Background:** While the NGO delegates maintain responsibility for representing the civil society constituencies of their region, there is significant ‘added value’ in ensuring that issues related to the sector are also incorporated into national delegations to the Programme Coordinating Board. Whether donor or recipient countries, multisectoral

Member State delegations can provide particularly well-informed and comprehensive inputs - based upon their *combined* experiences, evidence and resources.

24. The inclusion of civil society representatives in Member State delegations was recommended by the Independent Review.<sup>11</sup> Meanwhile, the recent Focused Consultation confirmed that this idea retains wide-based support among a variety of stakeholders. While some respondents feel that it would be sufficient for Member States to simply consult with civil society prior to Programme Coordinating Board meetings, the majority feel that representatives of the sector – including people living with HIV and affected communities - should be actually integrated into countries' delegations. This would allow for a multisectoral representation of the national response to HIV – providing a concrete example of putting the 'Three Ones' principle into practice – and would increase the diversity of civil society voices within the Programme Coordinating Board. Such a measure would be particularly relevant given the Programme Coordinating Board's increasing attention to policy dialogue on thematic areas.
25. There have been increasing examples of this good practice principle being implemented by Member States in the Programme Coordinating Board itself, as well as within the Board of the Global Fund and, most notably, at the 2008 High Level Meeting. Respondents report that the inclusion of civil society representatives brings a fresh dynamic to the concept of partnership. In particular, they emphasise that working together within the same delegation and towards a common goal, enables government and civil society to build their relationship, exchange information and better understand each other. These are benefits that not only impact on the contributions made by delegations to meetings, but can be taken back to the country level.

**Recommendation 1:** The Programme Coordinating Board recognizes that Member States could further strengthen the evidence-base and comprehensiveness of their contributions to Board discussions - by more systematically incorporating the ideas and experiences of civil society, particularly people living with HIV and affected communities, into their delegations. The Programme Coordinating Board:

- 1.i. Encourages Member States to integrate one or more representatives of civil society, including people living with HIV and affected communities, within their national delegations to Programme Coordinating Board meetings.
- 1.ii. Encourages those Member States to select representatives in collaboration with national civil society and to support the representatives to consult widely with their constituents prior to Programme Coordinating Board meetings.
- 1.iii. Recommends that the UNAIDS Secretariat ensures that country offices and Regional Support Teams identify ways to provide resources to Member States that are not able to fund civil society participation in their delegations.

**Resource implications:**

1.i. None

1.ii. None

1.iii. Estimated cost:<sup>12</sup>

= 1 civil society participant from 13 countries [\$63,000<sup>13</sup>] x 2 Programme Coordinating Board meetings = \$126,000 per year

<sup>11</sup> 'Option for action' 1.2.3, (2007), Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS.

<sup>12</sup> It is suggested that the funding criteria be in line with that stipulated in the Modus Operandi of the Programme Coordinating Board (June 1999) for the participation of Member States in Programme Coordinating Board Meetings: "20: Funds will be made available to cover the costs for per diem and travel incurred in connection with the attendance at Programme Coordinating Board meetings for one representative from each developing country [and] from each country with an economy in transition." At present, this constitutes 13 countries in total. As such, the estimate cited is based upon one additional NGO participant for 13 countries in two Programme Coordinating Board meetings per year.

## Area for action B: Transparent and accountable functioning of the Programme Coordinating Board

26. **Background:** It is widely recognized that one of the greatest strengths of the multisectoral membership of the Programme Coordinating Board is the diverse perspectives that the stakeholders bring to the preparation and decision-making on the agenda and its items. Such inputs are greatly enhanced when stakeholders are provided with clear and structured opportunities to give input before key agenda items are finalized. They also benefit from key final documents being disseminated in a timely manner, allowing adequate time for effective consultation among all concerned. The latter can be particularly important for the NGO Delegation - which works with constituents that may both lack access to computer technology and need documents to be translated into local languages (to gain the viewpoints of those 'on the ground').
27. This issue was not specifically addressed by the Independent Review. However, the Focused Consultation highlighted growing concern among the NGO Delegation and other stakeholders about incidents of key, formal Programme Coordinating Board documents being submitted immediately before meetings or undergoing changes at the last minute. While the respondents understand that some such situations may be unavoidable, they sense that all Programme Coordinating Board members and the UNAIDS Secretariat could take steps to re-ensure the transparency and accountability of key documentation for Board meetings. It may not be practical or appropriate to mandate very specific processes and timeframes. However, basic tools – such as 'road maps' outlining when and how key documents will be conceived, developed and finalized – could be useful for encouraging all those concerned to identify when agreed procedures are/are not being followed, to hold each other to account and to facilitate greater consultation on Programme Coordinating Board issues.
28. In relation to the development of the agenda for Programme Coordinating Board meetings, the NGO Delegation welcomes, and remains committed to fulfilling, the vital opportunity provided by its seat on the Programme Coordinating Board Bureau – within which it can help to shape the structure and content of agendas. Through experience, it has learned that such meetings, which can often involve complex discussions and dynamics, are particularly effective when held 'in person' rather than through conference calls, as this enables all participants to contribute actively and equitably. As such, the NGO Delegation has liaised with the Programme Coordinating Board Bureau to secure the 'in person' attendance of the NGO delegate at as many Bureau meetings as possible.
29. The NGO Delegation notes that the holding of Programme Coordinating Board Bureau meetings in person would need to be incorporated into the budget of the Bureau – as other participants beyond the NGO delegate, particularly those that are non-Geneva based, might also not be in a position to fund their participation.

**Recommendation 2:** The Programme Coordinating Board and UNAIDS Secretariat could enhance the high quality and timely contributions that all sectors bring to the development of the Programme Coordinating Board agenda and the key documents for decision – by working in partnership and strengthening transparency and accountability within the relevant development processes. The Programme Coordinating Board:

<sup>13</sup> Costs are based on those from the 21<sup>st</sup> Programme Coordinating Board Meeting in Geneva, December 2007. Actual costs would vary according to who the current Member States are and the location of the meeting.

- 2i. Requests the Programme Coordinating Board Bureau to host at least two of its meetings 'in person' in the lead-up to each Programme Coordinating Board meeting – and to provide resources to those members, including the representative of the NGO Delegation, that are unable to cover their costs.
- 2ii. Requests the Programme Coordinating Board Bureau to provide a simple 'road map' for how each key document for decision will be conceptualized, developed and finalized and when/how different stakeholders, including civil society, can contribute.
- 2iii. Encourages all relevant stakeholders to submit their key documents for decision at least 8 weeks prior to Programme Coordinating Board meetings - to facilitate timely translation and enable comprehensive consultation among all sectors, including civil society.

**Resource implications:**

- 2i. Estimated cost:<sup>14</sup>  
= 1 NGO delegate<sup>15</sup> at 1 day meeting in Geneva [\$5,324<sup>16</sup>] x 2 Programme Coordinating Board Bureau meetings  
= \$10,648 per year
- 2ii. None
- 2iii. None

**Area for action C: Liaison between regional NGO delegates, UNAIDS and Cosponsors**

30. **Background:** The NGO Delegation is selected on the basis of 5 geographic areas – with the aim of bringing the unique perspectives and experiences of civil society in those regions to the table of the Programme Coordinating Board. This is a critical aspect of the delegation's 'reality check' role – whereby it identifies and communicates the real needs of people on the ground, especially those that are living with HIV and from affected communities. Meanwhile, UNAIDS works through an increasingly de-centralized model, embodied by the Regional Support Teams that, among other roles, identify regional trends and priorities, bring together relevant stakeholders and promote good practice.
31. To perform their role effectively - and to complement their engagement in national processes – it is vital that the NGO delegates coordinate with key stakeholders in their region and are integrated into key regional processes, particularly those of UNAIDS and its Co-Sponsoring Organizations.
32. The Independent Review documented how the effectiveness of communication between regional NGO delegates and regional UNAIDS representatives varied greatly, often being dependent on individual relationships. It also strongly encouraged such relations to be strengthened and made more formal.<sup>17</sup> Meanwhile, the Focused Consultation identified that improvements still need to be made – from basic steps (such as supporting the NGO delegates to identify key contacts among UNAIDS and Cosponsors in their region) to more structured and formal opportunities for collaboration. A widely supported opportunity to achieve the latter would be to involve the NGO delegates as partners in selected and appropriate parts of the annual Regional Management Meetings of UNAIDS, where internal issues of region-wide priorities, needs and strategies are addressed by, among others, field staff and members of the Senior Management Team.

<sup>14</sup> Estimate is based on an example of an NGO delegate based in Thailand participating in one-day Programme Coordinating Board Bureau Meetings in Geneva. Flight estimate is based on travel allowance system determined by WHO – with travel exceeding nine hours authorized to be business class. Actual costs would vary depending on where the NGO delegate is based.

<sup>15</sup> Note: The funding of travel for the two 'in-person' meetings of the Programme Coordinating Board Bureau might also apply to Cosponsors if the member of the Programme Coordinating Board Bureau is based outside of Geneva.

<sup>16</sup> Based on estimated costs of: flight (\$4,364) + 2.5 days DSA (\$840) + terminal expenses (\$120).

<sup>17</sup> 'Options for action' 2.3.1, 2.3.2 and 2.3.3, (2007), Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS.

33. A further opportunity for enhancing the quality and relevance of the contributions of the regional NGO delegates would be to hold an 'NGO caucus' in each of the five regions over the next two years. This idea was, again, originally raised by the Independent Review<sup>18</sup> and has now been confirmed by wide-based support expressed in the Focused Consultation. While the participants would predominantly be from civil society, they would also include key members of the UNAIDS 'family' in the region. The 'caucuses' would have dual aims: informing civil society constituents of what the Programme Coordinating Board is doing and the issues coming up on its agenda; and identifying priority issues from constituents that can be formulated into formal recommendations to the NGO Delegation and, in turn, raised in Programme Coordinating Board meetings.
34. The 'NGO caucuses' should be organized creatively, in particular maximizing participation by people living with HIV, affected communities and smaller NGOs. They should also make the most of existing resources and emerging opportunities, for example by holding the 'caucus' virtually or by holding a half day meeting prior to a regional AIDS conference.
35. The prime responsibility for enhancing regional consultation among civil society lies within the mandate of the Communications Facility in collaboration with the relevant regional NGO delegates. However, to enhance multisectoral regional consultation, it is recommended that the 'NGO caucuses' be coordinated through a partnership with the UNAIDS Regional Support Team. As such, resources are required to complement those allocated to the Communications Facility for such initiatives to ensure that UNAIDS can play its full role, for example by funding the participation of relevant members of staff in the region, such as Partnership Officers.
36. Combined, this set of measures could significantly enhance the NGO Delegation's capacity to bring the richness and diversity of regional needs and issues to the Programme Coordinating Board – increasing the evidence base of the discussions and, in turn, increasing the credibility and effectiveness of the Delegation's contributions.

**Recommendation 3:** The Programme Coordinating Board could enhance the regional-based contributions made to Programme Coordinating Board meetings – by supporting greater collaboration: between the regional NGO delegates, UNAIDS Regional Support Teams and regional offices of Co-Sponsoring Organizations; and by providing opportunities for those key stakeholders to consult with wider civil society, including people living with HIV and affected communities, in their region. The Programme Coordinating Board:

- 3i. Requests the UNAIDS Regional Support Teams to allocate adequate opportunities and resources to ensure civil society engagement at the regional level. This should include the participation of regional NGO delegates in relevant parts of Regional Management Meetings and the provision of other opportunities to strategize with UNAIDS and Co-Sponsor contacts in their region.
- 3ii. Calls upon the UNAIDS Secretariat to enable the Regional Support Teams to make a financial contribution towards, and fully engage with, an 'NGO caucus' in each of the 5 regions represented by the NGO Delegation. These will be co-hosted by the Regional Support Team, regional NGO delegates and the NGO Delegation's Communications Facility. They will aim to both update constituencies on Programme Coordinating Board processes and agenda items, and to solicit input on the priority issues and needs of civil society, including people living with HIV and affected communities.

<sup>18</sup> 'Options for action' 4.5.3, (2007), Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS.

**Resource implications:**

- 3i. Estimated cost:<sup>19</sup>  
 = 1 regional NGO delegate [\$1,670<sup>20</sup>] x 5 Regional Management Meetings  
 = \$8,350 per year
- 3ii. Estimated cost:  
 = Contribution of \$20,000 x 5 regions  
 = \$100,000 over two years

**Area for action D: Priorities to be emphasized in Independent Evaluation of UNAIDS**

37. **Background:** As noted, the NGO Delegation is, alongside other stakeholder groups, benefiting from structured opportunities to provide input into key phases of the Independent Evaluation of UNAIDS. Within these opportunities, the NGO Delegation commits to engaging in critical discussions about a broad range of issues relating to the role, remit and results of UNAIDS. In the lead up to this process, the NGO Delegation wishes to take the opportunity of the 23<sup>rd</sup> Programme Coordinating Board Meeting to highlight two areas of particular concern that it has requested to be actively and comprehensively addressed within the Evaluation.
38. Firstly, the Evaluation provides a vital opportunity to build on the Independent Review and evaluate the strengths, weaknesses and lessons of civil society participation in UNAIDS more widely.<sup>21</sup> This would address all other levels and dimensions of participation in the Programme, including at the national and regional levels, as well as global initiatives that go beyond the remit of the Programme Coordinating Board. It would enable an assessment of whether, for example, the good practice of the Programme Coordinating Board is replicated in the processes to implement the Board's decisions at the country level. It would also complement past or planned evaluations of participation in specific initiatives, such as the 2008 High Level Meeting.
39. This type of review was recommended by the Independent Review<sup>22</sup> and supported widely by the Focused Consultation.
40. Secondly, the Evaluation provides a formal opportunity to independently re-visit the question of the voting status of the NGO Delegation to the Programme Coordinating Board. As clearly demonstrated by the Independent Review<sup>23</sup> and confirmed by the Focused Consultation,<sup>24</sup> this remains a fundamental issue of concern to many stakeholders, particularly among civil society itself.
41. The Evaluation would facilitate the opportunity to update the wide-based consultation carried out on this issue within the Independent Review – by further engaging Members States and Cosponsoring Organizations, as well as other Programme Coordinating Board stakeholders. It would enable an assessment of voting issues to be fact-based and contextualized. This would include clarifying whether there are/are not structural or legal obstacles to achieving change within a body operated under ECOSOC. It would also

<sup>19</sup> Estimates based on an NGO delegate from Hanoi participating in a meeting in Bangkok. Actual costs will depend on where the NGO delegate is traveling from, where the Regional Management Meeting is held, the length of the meeting, etc.

<sup>20</sup> Based on estimated costs of: flight (\$800) + 3.5 days DSA in Bangkok (\$750) + terminal expenses (\$120).

<sup>21</sup> Paragraph 2.19 of ITAD and HLSP (5<sup>th</sup> September 2008), The Second Independent Evaluation of UNAIDS 2002-2008: Draft Inception Report.

<sup>22</sup> 'Options for action' 2.2.1 and 2.2.2, (2007), Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS.

<sup>23</sup> All respondents that expressed an opinion on the matter stated that the NGO Delegation should be granted voting status. Recommendation 1 and 'option for action' 1.1.1, (2007), Independent Review: NGO/Civil Society Participation in the Programme Coordinating Board of UNAIDS.

<sup>24</sup> In response to the question "Do you think that the NGO Delegation should have full voting status within the Programme Coordinating Board?", 75% of respondents answered yes, 6% answered no and 13% said that they did not know.

include identifying the degree to which more recent and comprehensive models of civil society participation, such as those operated within the Boards of the Global Fund and UNITAID, could or could not be adapted to a UN Programme.

42. The NGO Delegation welcomes the opportunity to promote attention to this crucial issue within the context of the formal and multi-stakeholder process of evaluating the overall governance of UNAIDS.<sup>25</sup>

**Recommendation 4:** The Programme Coordinating Board notes the NGO Delegation's commitment to raising priority issues of concern to civil society within the Second Independent Evaluation of UNAIDS. The Programme Coordinating Board acknowledges the NGO Delegation's efforts to:

- 4i. Ensure that the Independent Evaluation of UNAIDS includes - as a complement to the '*Independent Review of Civil Society Participation in the UNAIDS Programme Coordinating Board*' - a similar analysis of the strengths and weaknesses of civil society participation within UNAIDS more widely. This should address processes, relationships and results at national and regional levels, as well as within global policy-making processes that go beyond the Programme Coordinating Board.
- 4ii. Ensure that the Independent Evaluation includes – as part of its review of the governance of UNAIDS and the participation of civil society – an analysis of the NGO Delegation's voting status within the Programme Coordinating Board. This should include: wide-based consultation with Programme Coordinating Board stakeholders; an examination of the historical and current structural and legal basis of current practice; and an analysis of models of civil society participation in other global Boards, particularly within the UN system, and their potential for replication within UNAIDS.

**Resource implications:**

- 4i. To be costed by the Evaluation Team as appropriate.
- 4ii. To be costed by the Evaluation Team as appropriate.

**Area for action E: Review of civil society participation in the Programme Coordinating Board in 2010**

43. **Background:** Providing scheduled and structured opportunities for review is vital to achieving increased and improved civil society participation in the Programme Coordinating Board of UNAIDS. It has been demonstrated that formal agenda items provide an opportunity both for other stakeholders to hold the NGO Delegation to account and for the NGO Delegation/civil society to benefit from the focused attention of stakeholders and the opportunity to promote recommendations for action.
44. The year 2010 will provide a particularly strategic opportunity to achieve progress on civil society participation – in the context of the completion of the Independent Evaluation and the opportunity to assess the impact and implications of its findings and recommendations in relation to civil society.

<sup>25</sup> Paragraph 2.22 of ITAD and HLSP (5<sup>th</sup> September 2008), The Second Independent Evaluation of UNAIDS 2002-2008: Draft Inception Report.

**Recommendation 5:** The Programme Coordinating Board could continue to provide formal opportunities for discussion and decision-making concerning the participation of civil society in the governance of UNAIDS. The Programme Coordinating Board:

- 5i. Agrees to schedule an agenda item to review progress towards increasing and improving civil society participation and, in particular, to review the implementation of relevant recommendations from the Independent Evaluation, in a Programme Coordinating Board meeting in 2010.

**Resource implications:**

- 5i. None



## Annex 1

### List of stakeholders interviewed for Focused Consultation by NGO Delegation

	Name	Position	Organization
<b>Member States</b>			
1	Colin McIlff	Multilateral Organizations Officer	Office of the US Global AIDS Coordinator, Department of State, Government of the United States of America
2	Els Klinkert	AIDS Coordinator	Ministry of Foreign Affairs, Government of The Netherlands
3	Monique Middelhoff	Senior Health and AIDS Advisor	Health, Gender and Civil Society Department, Ministry of Foreign Affairs, Government of The Netherlands
4	Carlos Passarelli	Director	International Centre for Technical Cooperation on HIV/AIDS, Government of Brazil
<b>UNAIDS Cosponsoring Organizations</b>			
5	Nadia Rashid	UNAIDS Focal Point	United Nations Development Programme (UNDP)
6	Steve Kraus	Chief	HIV/AIDS Branch, United Nations Population Fund (UNFPA)
7	Andrew Ball	Senior Strategy and Operations Adviser	HIV/AIDS Department, World Health Organization (WHO)
8	Teguest Guerma	Associate Director	HIV/AIDS Department, World Health Organization (WHO)
<b>UNAIDS Secretariat / Regional Support Teams</b>			
9	As Sy	Director, Partnerships and External Relations	UNAIDS
10	Helen Fray	Chief, Board and UN Relations	UNAIDS
11	Kate Thomson	Chief, Civil Society Partnerships Unit	UNAIDS
12	Sally Smith	Partnerships Adviser	UNAIDS
13	Joy Backory	Partnership Adviser	UNAIDS
14	Tony Bates	Regional Programme Advisor	Regional Support Team for Asia and Pacific, UNAIDS
<b>Civil society</b>			
15	Cheick Tidiane Tall	Executive Director	African Council of AIDS Service Organizations (AfriCASO)
16	Alessandra Nilo	Executive Coordinator	GESTOS, LACCASO Regional Secretary
17	Ricardo Baruch	HIV Activist	Mexico Youth Force
18	Stijn Goossens		International Network Of People Who Use Drugs
19	Loretta Wong	Executive Director	AIDS Concern, Hong Kong Council of AIDS Service Organizations (HKCASO)
20	Robert Baldwin	Steering Committee Member	International Treatment Preparedness Campaign (ITPC)
21	Kevin Moody	International Coordinator/ Chief Executive Officer	Global Network of People Living with HIV (GNP+)
22	Pascal Tanguay	Information Officer	Asian Harm Reduction Network (AHRN)
23	Sue Perez	Policy Director	Treatment Action Group (TAG) and civil

			society liaison for the International Health Partnership
24	Anton Kerr	Senior Policy Advisor	International HIV/AIDS Alliance
<b>Peer organizations</b>			
25	Mick Mathews	Civil Society Liaison Officer	The Global Fund to Fight AIDS, Tuberculosis and Malaria

## Annex 2

### Responses to key questions in NGO Delegation's e-survey of wider civil society

[Note: Percentages relate to the total of 183 responses received]

#### Where do you live?

- Africa: 34%
- Asia and Pacific: 35%
- Europe: 13%
- North America: 8%
- Latin America and the Caribbean: 10%

#### Which term best describes your group or organization?

- Community based organization: 21%
- National NGO or network: 24%
- Regional NGO or network: 10%
- International NGO or network: 16%
- Group or network of people living with HIV: 11%
- Academic or research organization: 7%
- Individual/not affiliated with an organization: 4%
- Other: 7%

#### How much do you know about UNAIDS and what it does?

- A lot: 39%
- A little: 55%
- Nothing: 5%

#### How much do you know about the Programme Coordinating Board of UNAIDS and the decisions that it takes?

- A lot: 14%
- A little: 50%
- Nothing: 36%

#### Until today, have you been involved in UNAIDS policy-making in any of the following ways:

	Often	Sometimes	Never	Do not know
• Participated in a national consultation coordinated or funded by UNAIDS?	7%	30%	51%	10%
• Participated in a regional consultation coordinated or funded by UNAIDS?	4%	21%	62%	10%
• Received information about issues being discussed by the UNAIDS Programme Coordinating Board?	11%	40%	36%	10%
• Been asked – for example through a civil society network or list-serve – to give input on issues being discussed by the UNAIDS Programme Coordinating Board?	10%	34%	48%	7%
• Been consulted by your country's government on issues being addressed by the UNAIDS Programme Coordinating	6%	15%	62%	14%

Board?

**How would you like to be involved with the NGO Delegation to the Programme Coordinating Board and able to influence the decisions of UNAIDS?**

	Yes	No	Not sure
• Be part of a resource team (a team of people that support the NGO Delegation by giving input on issues relating to the Programme Coordinating Board)	79%	3%	12%
• Participate in on-line consultations and discussions about issues relating to the Programme Coordinating Board	77%	5%	13%
• Participate in country-level meetings to prepare the NGO Delegation's input into Programme Coordinating Board meetings	71%	10%	13%
• Participate in regional-level meetings to prepare the NGO Delegation's input into Programme Coordinating Board meetings	74%	9%	11%
• Establish focal points in your country (representatives of civil society with whom the NGO Delegation could communicate about issues relating to the Programme Coordinating Board)	74%	7%	14%

**What do you think about the following recommendations for actions that could be taken by the UNAIDS Programme Coordinating Board to increase and improve civil society participation in the Board?**

	Support the recommendation	Do not support the recommendation	Not sure
• Encourage Member States to include civil society representatives in their Delegations to Programme Coordinating meetings	82%	2%	4%
• Clarify how documents for Programme Coordinating Board meetings are developed and finalized – and how civil society can influence them	78%	3%	7%
• Ensure that all documents for Programme Coordinating Board meetings are produced in a timely way – to allow time for consultation among civil society	81%	1%	4%
• Ensure briefings before each Programme Coordinating Board meeting between the NGO Delegation and key stakeholders (e.g. senior UNAIDS staff, the Chair and Vice Chair of the Board, etc)	73%	3%	10%
• Ensure greater collaboration between UNAIDS Regional Support Teams and the NGO Delegates for each region. For example, by involving the NGO delegates in the annual Regional Management Meeting.	80%	2%	5%
• Contribute funding towards annual regional NGO caucuses – to enable the NGO delegates to update and consult with their constituents on UNAIDS issues	71%	4%	11%

**Do you think that the NGO Delegation should have full voting status within the Programme Coordinating Board?**

- Yes: 75%
- No: 6%
- Do not know: 13%