



Economic and Social Council

Distr.: General
20 May 2021

Original: English

2021 session

23 July 2020–22 July 2021

Agenda item 12 (h)

**Coordination, programme and other questions: Joint
United Nations Programme on HIV/AIDS**

Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS

Note by the Secretariat

The Secretariat has the honour to transmit to the Economic and Social Council the report of the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS, submitted pursuant to paragraph 12 of Council resolution [2019/33](#), in which the Council requested the Programme Coordinating Board to discuss governance issues of the Joint Programme, as well as how the Joint Programme could be sustainably core funded, in accordance with all relevant United Nations principles, with a view to evaluating such issues, in order to have an effective, efficient and accountable Joint Programme, and to report to the Council by 2021.



Report of the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS

Summary

The present report is submitted pursuant to Economic and Social Council resolution [2019/33](#), in which the Programme Coordinating Board of the Joint United Nations Programme on HIV/AIDS (UNAIDS) was requested to discuss governance issues of the Joint Programme, as well as how the Joint Programme could be sustainably core funded, in accordance with all relevant United Nations principles, with a view to evaluating such issues, in order to have an effective, efficient and accountable Joint Programme, and to report to the Council by 2021. The present report is intended to complement the report of the Executive Director of the Joint United Nations Programme on HIV/AIDS ([E/2021/64](#)).

The Programme Coordinating Board acts as the governance body for the Joint Programme. It is composed of 22 States Members of the United Nations, 11 UNAIDS co-sponsors and 5 non-governmental organizations. The governance structure is unique in its level of inclusiveness, with Member States, co-sponsors and representatives of civil society, and specifically people living with and affected by HIV, represented on the Board. This inclusive governance structure has repeatedly been recognized as a useful example of United Nations system coherence, effectiveness and reform, including in the context of the 2030 Agenda for Sustainable Development.

The Programme Coordinating Board continues to serve as the central agenda-setting forum for the global HIV response. The development of strategies and strategic approaches under the oversight of the Board helps to bring diverse countries and stakeholders together in a shared effort to implement optimally effective, tailored, people-centred HIV responses in order to end AIDS as a public health threat by 2030, as called for in the Sustainable Development Goals.

During its 25 years of existence, UNAIDS governance has evolved in response to a changing HIV epidemic, the unfolding needs of the Joint Programme and governance best practices in the United Nations system. The accountability of the Joint Programme has also evolved over time.

The Programme Coordinating Board has taken steps to strengthen its oversight and accountability roles, including in response to two independent evaluations,^a the recommendations of the Global Review Panel on the future of the Joint Programme model and, most recently, the recommendations of the Joint Inspection Unit. For example, in response to the Joint Inspection Unit's recommendations, the Board included an annex in its modus operandi in 2020 in order to clarify and strengthen its oversight and accountability functions and to establish a new independent, external oversight advisory committee to aid the Programme Coordinating Board and the Executive Director in optimizing the accountability of the Joint Programme. The Board has also acted to strengthen the evaluation and ethics reporting by the Joint Programme.

In accordance with the recommendations of the Joint Inspection Unit, the Programme Coordinating Board seeks to further align its oversight and accountability with best practices in the United Nations system. As such, the Board recommends that the Economic and Social Council request the Secretary-General to submit a report, after consultation with the Board, on the establishment of two four-year term limits,

as well as performance expectations for the position of Executive Director of the Joint United Nations Programme on HIV/AIDS.

In March 2021, a new Global AIDS Strategy, entitled “End inequalities. End AIDS. Global AIDS Strategy 2021–2026”, was presented to the Programme Coordinating Board for consideration and adoption. The Strategy includes ambitious HIV targets to be reached by 2025 and provides the direction for national, regional and global HIV responses in the coming years.

UNAIDS is also developing a new Unified Budget, Results and Accountability Framework, under the guidance of the Programme Coordinating Board. The Framework serves to set out the Joint Programme’s role with regard to implementing the Strategy and to identify anticipated results and activities aimed at achieving the Joint Programme’s strategic priorities. Both the Strategy and the Framework are fully aligned with the 2030 Agenda and with the reform of the United Nations development system. Extensive reporting on the impact, outcome and output indicators outlined in the Framework, drawing on the UNAIDS Global AIDS Monitoring System, allows the Board to be able to monitor and provide strategic direction regarding the Joint Programme’s performance.

Core funding accounts for a consistently large share (79.9 per cent in 2019) of the Joint Programme’s overall funding and is a sign of the solid confidence of donors in the impact of their investments. It also reflects their confidence in the Programme Coordinating Board’s oversight of the Joint Programme. Since 2014, however, persistent underfunding of the Framework’s Board-approved funding level of \$242 million has posed challenges for both the Joint Programme and the broader HIV response. UNAIDS continues to act to strengthen its resource mobilization efforts.

^a Joint United Nations Programme on HIV/AIDS (UNAIDS), documents UNAIDS/PCB (24)/09.12 and UNAIDS/PCB(13)/02.2.

I. Introduction

1. The Joint United Nations Programme on HIV/AIDS (UNAIDS) was established by the Economic and Social Council in its resolution 1994/24, to undertake a joint and co-sponsored United Nations programme to address the HIV pandemic. Based on co-ownership, collaboration, planning and execution and an equitable sharing of responsibility, UNAIDS at its outset had six co-sponsoring organizations of the United Nations system (United Nations Development Programme, United Nations Children's Fund, United Nations Population Fund, World Health Organization (WHO), United Nations Educational, Scientific and Cultural Organization and World Bank). Subsequently, other United Nations system organizations joined as UNAIDS co-sponsors, namely, the United Nations Office on Drugs and Crime in 1999, the International Labour Organization in 2001, the World Food Programme in 2003, the Office of the United Nations High Commissioner for Refugees in 2004 and the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) in 2012. The Joint Programme is currently composed of 11 United Nations system organizations and a secretariat.

2. As provided for by the Economic and Social Council in resolution 1994/24, by which the Joint Programme was established, UNAIDS is guided by a Programme Coordinating Board, which serves as its governing body. Members of the Board include representatives of 22 Governments from all regions of the world, 11 UNAIDS co-sponsors and 5 non-governmental organizations (NGOs).¹

3. The governance structure of UNAIDS is unique in its level of inclusiveness, with member States, co-sponsors and civil society, and specifically people living with and affected by HIV, as Programme Coordinating Board members. Its constituency structure and openness to granting observer status further enhances inclusiveness. The Board's agenda includes a standing item on leadership, which allows for high-level guest speakers to address the Board on critical issues in the HIV response. The two-day Board meetings are complemented by a day-long thematic segment that fosters in-depth dialogue on key topics.

4. The Executive Director of the Joint United Nations Programme on HIV/AIDS reports to the Economic and Social Council every two years on progress made in implementing a coordinated response within the United Nations system to the HIV epidemic. The report of the Executive Director is transmitted by the Secretary-General to the Economic and Social Council. The Council then considers the report and adopts a resolution on the Joint Programme.

5. In paragraph 17 of its resolution 2019/33, the Economic and Social Council requested the Executive Director to submit a report, as usual, through the Secretary-General to the Council by 2021. In addition, in paragraph 12 of the resolution, the Council requested the Programme Coordinating Board to discuss governance issues of the Joint Programme, as well as how the Joint Programme could be sustainably core funded, in accordance with all relevant United Nations principles, with a view to evaluating such issues, in order to have an effective, efficient and accountable Joint Programme, and to report to the Economic and Social Council by 2021.

6. The present report is submitted pursuant to that request. It summarizes the process followed by the Programme Coordinating Board in developing the response to the request of the Economic and Social Council. Developed by the Bureau of the Board, the report provides a brief overview of the governance structure of the Joint Programme and a review of significant developments in UNAIDS governance since

¹ The composition of the Programme Coordinating Board in 2021 is available at www.unaids.org/sites/default/files/media_asset/PCB_Members_1January2021_en.pdf.

the establishment of the Board by the Council 25 years ago. The request for the report is timely, given recent Board discussions and decisions on governance-related issues as part of the Board's response to external reviews and evaluations, including those of the Joint Inspection Unit.

II. Process to develop the report of the Programme Coordinating Board

7. In follow-up to the request of the Economic and Social Council in its resolution [2019/33](#), the Bureau of the Programme Coordinating Board, at its meeting on 30 August 2019,² noted that the Board was scheduled to receive several reports during 2019 and 2020 related to the governance of the Joint Programme. The anticipated governance-related reports included a management and administrative review of UNAIDS by the Joint Inspection Unit,³ findings from the independent evaluation of the 2016–2021 UNAIDS Unified Budget, Results and Accountability Framework, as well as the revised operating model of the Joint Programme⁴ and the lessons learned from the nomination process of the Executive Director.⁵ It was agreed that follow-up on the resolution would be driven by the Board's deliberations regarding the Joint Inspection Unit's management and administrative review.

8. At its 45th meeting, held in December 2019, the Programme Coordinating Board discussed the findings and recommendations of the Joint Inspection Unit and established a working group to consider the recommendations directed to the Board. Over the course of six months, the working group met five times. It provided a progress report to the Board at the Board's 46th meeting, held in June 2020. The final report of the working group was tabled at the 47th meeting, held in December 2020, at which the Board adopted a series of decisions aimed at strengthening the governance of the Joint Programme.

9. At its meeting held on 15 January 2021,⁶ the Bureau of the Programme Coordinating Board discussed the steps necessary for preparing the report requested by the Economic and Social Council with regard to governance and core funding issues. The Bureau agreed that the report of the working group on the Joint Inspection Unit's recommendations would provide a framework for the outline of the report requested by the Council. The Chair of the Programme Coordinating Board also recalled that the Board had agreed at its 47th meeting to include in the upcoming Board report to the Council a recommendation that the Council request the Secretary-General to submit a report, upon consultation with the Board, on the establishment of two four-year term limits and performance expectations for the position of Executive Director of the Joint United Nations Programme on HIV/AIDS in line with the best practices of the United Nations system as recommended by the Joint Inspection Unit.⁷

10. Following the Bureau's discussion of resolution [2019/33](#), the Chair of the Programme Coordinating Board prepared an annotated outline of the report, in close

² The summary of the meeting of the Bureau of the UNAIDS Programme Coordinating Board of the Joint Programme on HIV/AIDS (UNAIDS) is available at http://www.unaids.org/en/resources/documents/2019/PCB_Bureau_30-Aug-2019.

³ UNAIDS, document UNAIDS/PCB (45)/19.37.

⁴ UNAIDS, Evaluation Office, *Independent Evaluation of the UN-System Response to AIDS in 2016–2019* (Geneva, 2020).

⁵ UNAIDS, document UNAIDS/PCB (45)/19.31 rev1.

⁶ The summary of the meeting of the Bureau of UNAIDS Programme Coordinating Board is available at http://www.unaids.org/en/resources/documents/2021/UNAIDS_PCB_Bureau_15012021.

⁷ UNAIDS, Decisions of the 47th meeting of the UNAIDS Programme Coordinating Board, 15–18 December 2020.

consultation with all Bureau members. The outline was subsequently shared with all Board members for review. Board members provided verbal input on the outline of the report at a briefing convened by the Bureau on 18 February 2021. Board members also provided written input on the outline. The Chair of the Board, in collaboration with the Bureau, developed the report on the basis of the outline and the comments received. The report was discussed at a preparatory meeting on 11 March 2021. The report was further discussed by the Board at a special meeting held on 24 and 25 March 2021.

III. Governance of the Joint United Nations Programme on HIV/AIDS

11. The Joint Programme's unique and inclusive model of governance has been widely recognized as an example of United Nations development system reform and as a useful model of multisectoral governance and action for driving progress towards the 2030 Agenda for Sustainable Development. The reliance of the Programme Coordinating Board on consensus decision-making has enabled it to serve as a respected high-level forum for setting the agenda for the global HIV response.

12. The Joint Programme has been recognized as an innovative partnership which, in many ways, was 20 years ahead of its time when it established the principle of "leaving no one behind" into its structure and working methods. The Global Review Panel on the future of the Joint Programme model noted in its report that the hallmarks of the Joint Programme included:⁸

(a) A governance structure that welcomed those most affected by the HIV epidemic to the table of global policy debate;

(b) Principles of co-sponsorship;

(c) A formal division of labour and a unified budget, results and accountability framework to guide the work of the 11 co-sponsors and the secretariat.

13. In a related background paper,⁹ the Global Review Panel also noted that the conclusion drawn in the early 1990s regarding United Nations action on AIDS remained valid a quarter century later, namely, that no single United Nations agency could tackle the epidemic and that a cooperative effort was essential. The joint programming model of UNAIDS itself has withstood the test of time, and recent discussions on United Nations reform have called for action in areas that are inherent to UNAIDS: active coordination of United Nations entities, leveraging of evidence and strategic information in policy development and programming and multisectoral and multi-stakeholder approaches underpinned by the values of human rights, gender equality and sustainability.

14. The 54 States members the Economic and Social Council have also recognized UNAIDS governance as a model for the broader United Nations system with regard to implementation of the 2030 Agenda. In its resolution 2019/33, the Council reaffirmed that the Joint Programme's co-sponsor and governance model provided the United Nations system with a useful example of strategic coherence, reflecting national contexts and priorities, through its coordination, results-based focus, inclusive governance, and country-level impact, as set out in General Assembly resolution 71/243 on the quadrennial comprehensive policy review of operational activities for development of the United Nations system.

⁸ UNAIDS, document UNAIDS/PCB (40)/CRP1.

⁹ Available at www.unaids.org/sites/default/files/media_asset/background_grp_en.pdf.

Programme Coordinating Board

15. The Programme Coordinating Board establishes broad policies and priorities for the Joint Programme, in alignment with General Assembly resolution [47/199](#), which serves to guide the operational activities of the United Nations development system. In fulfilling its mandate to review and decide upon the planning and execution of the Joint Programme, the Board considers reports from the Executive Director of the Joint United Nations Programme on HIV/AIDS and the Committee of Co-sponsoring Organizations, as well as reports of the Joint Programme on issues such as strategy development and implementation, financial management, ethics reporting, evaluation, human resource management and risk management.

16. The Programme Coordinating Board reviews and approves a plan of action and budget, prepared by the Executive Director and reviewed by the Committee of Co-sponsoring Organizations, for each financial period. With respect to financial matters, the Board reviews proposals from the Executive Director, approves financing arrangements for the Joint Programme, assesses the financial implications of longer-term plans of action and reviews audited financial statements submitted by the Joint Programme. The Board makes recommendations to the Committee regarding the activities of the co-sponsoring organizations in support of the Joint Programme, including the mainstreaming of HIV-related activities in the operations and mandates of individual co-sponsors. The Board also reviews periodic reports that evaluate the progress of the Joint Programme towards achieving its goals.

17. The Programme Coordinating Board serves as a pivotal forum for setting the agenda of the global HIV response. Decisions of the Board on policy and programmatic issues provide key guidance on HIV responses at the country level and prompt commitments at the global level. The active engagement of Board members and States Members of the United Nations is critical to developing AIDS strategies to ensure consensus and broad ownership. Strategies adopted by the Board have served as inspiration for the 2001 Declaration of Commitment on HIV/AIDS (General Assembly resolution [S-26/2](#)), and for the Political Declarations on HIV/AIDS adopted by the General Assembly in 2006, 2011 and 2016. In March 2021, the Board considered adopting a new strategy to guide the broader global HIV response during the period 2021–2026, with the aim of catalysing action to get the response back on-track to end AIDS as a public health threat by 2030, as called for in the Sustainable Development Goals.

18. In maximizing its effectiveness as the Joint Programme's governance body and setting the agenda for the global HIV response, the Programme Coordinating Board strives to ensure that its meetings are optimally planned and efficiently conducted. Its inclusion of representatives of civil society, since the inception of the Joint Programme, is a notable feature. At its 47th meeting, the Board formally recognized the value, contribution, effectiveness and impact of the delegation of NGOs on the Board as a best practice, particularly in bringing to light urgent concerns faced by people living with HIV, key populations, women, young people and migrants, for immediate action and attention.¹⁰ The Board has taken steps to facilitate robust and meaningful involvement of the delegation, including in the establishment, at the 20th meeting of the Board, held in 2007, of an independent communication and support facility to support the participation of NGOs, including at the country level, in the Board's policy dialogues. The inclusion of NGO representatives on the Board helps to ensure that the Board's deliberations and decisions are informed by the perspectives of people living with HIV and the communities most heavily affected by the epidemic.

¹⁰ UNAIDS, Decisions of the 47th meeting of the UNAIDS Programme Coordinating Board.

19. In the first and second independent evaluations of UNAIDS, the Programme Coordinating Board was expressly applauded for its practice of convening all-day thematic segments that served to advance and strengthen the global HIV response by being focused on key priority issues in an open debate, with the pertinent decisions being taken at the subsequent meetings of the Board. The Board's thematic segments have been focused on a broad array of strategic issues, including access to medicines, HIV-related discrimination, community-led responses, HIV in emergency contexts, HIV and nutrition, HIV and tuberculosis, linkages between HIV and cervical cancer, social protection to address HIV-related social determinants, sustainable financing for the response, HIV and aging, and priority actions to rejuvenate HIV prevention. The focus has also been on HIV-related challenges facing diverse populations such as children, adolescents and young people, women and people on the move.

20. The thematic segments play an important role in shaping the global AIDS agenda, including highlighting underprioritized issues or challenges. For example, the thematic segment at the 43rd meeting of the Programme Coordinating Board, held in December 2018, which was focused on mental health and HIV, led to the increased funding and programmatic support from the Global Fund to Fight AIDS, Tuberculosis and Malaria and the President's Emergency Plan for AIDS Relief for integrated services to address mental health in the context of HIV. Fully leveraging these thematic segments to shape the global AIDS agenda and promote needed actions is an important priority for the Board.

Bureau of the Programme Coordinating Board and intersessional working procedures

21. In response to the first and second independent evaluations of UNAIDS, the Programme Coordinating Board modernized and improved its governance proceedings. For example, at its 15th meeting, held in May 2004, and in response to the first evaluation, the Board established a Bureau¹¹ to support its work between formal meetings.

22. The Bureau of the Programme Coordinating Board, which comprises Member States, co-sponsoring organizations and NGOs, aims to maximize the effectiveness and efficiency of the Board by coordinating the Board's programme of work throughout the year. Responsibilities of the Bureau include facilitating the smooth and efficient functioning of Board meetings and ensuring transparent decision-making by the Board; preparing the agenda of the Board, including with regard to recommendations on the order of and time allocations for agenda items; providing guidance, as needed, on Board documentation; and carrying out additional functions as directed by the Board. At its 27th meeting, held in December 2010, and in response to the second independent evaluation, the Board¹² requested that the Bureau consider regulating the number and length of presentations at Board meetings, to facilitate the smooth running and timing of the meetings.

23. At its 29th meeting, held in December 2011, the Programme Coordinating Board, with a view to facilitating and strengthening intersessional work and streamlining its working methods,^{13,14} revised its modus operandi, establishing and

¹¹ UNAIDS, Decisions, recommendations and conclusions of the 15th meeting of the UNAIDS Programme Coordinating Board, 23–24 June 2004.

¹² UNAIDS, Decisions, recommendations and conclusions of the 27th meeting of the UNAIDS Programme Coordinating Board, 6–8 December 2010.

¹³ UNAIDS, Decisions, recommendations and conclusions of the 29th meeting of the UNAIDS Programme Coordinating Board, 13–15 December 2011.

¹⁴ UNAIDS, document UNAIDS/PCB(29)/11.21.

clarifying procedures for the intersessional work in the interest of promoting effective governance of the Joint Programme. The revisions included rules regarding prompt communication by email to the full Board and containing intersessional decisions; provisions governing a quorum for intersessional decisions; and periodic reviews by the Board of the effectiveness and acceptability of rules for intersessional decisions. Although the Board aims to minimize the use of intersessional decision-making in order to allow for debate and full engagement, the adaptations have proved especially useful in facilitating the effective conduct of the Board's work during the coronavirus disease (COVID-19) pandemic.

Committee of Co-sponsoring Organizations

24. The inclusion of co-sponsors in the Programme Coordinating Board maximizes coordination within the Joint Programme and helps to ensure that the Board's deliberations and decisions are informed by the perspective of the many sectors engaged in the global HIV response. Established by the Economic and Social Council in its resolution 1994/24, the Committee of Co-sponsoring Organizations serves as a standing committee of the Board. The head of each co-sponsoring organization is a member of the Committee, with the role of Chair rotating among them. The Committee meets regularly and facilitates the input of the co-sponsors in the strategy, policies and operations of the Joint Programme. It reports annually to the Board.

Executive Director of the Joint United Nations Programme on HIV/AIDS

25. The Secretary-General appoints the Executive Director upon the recommendation of the co-sponsors and following a search process that is undertaken by the co-sponsors, in consultation with Governments and other interested parties. The Executive Director reports to the Programme Coordinating Board and serves ex officio as Secretary of the Board, the Committee of Co-sponsoring Organizations, Board subcommittees and conferences organized by UNAIDS. The Executive Director also prepares a biennial report that is transmitted by the Secretary-General to the Economic and Social Council.

IV. Evolving governance issues

26. Section IV provides a summary of key changes and improvements in the Joint Programme's governance and serves to describe how the work of the Joint Programme and its governance have been adapted to align with good practices across the United Nations system.

27. Twenty-five years after the establishment of the Joint Programme, its governance remains aligned with the founding Economic and Social Council resolutions. During that time, its governance has adapted to the evolving HIV epidemic and to the changing needs of the Joint Programme. Changes in the governance of the Joint Programme have aimed to enhance the impact of the Programme Coordinating Board, clarify oversight and accountability of the Joint Programme and strengthen ownership by the co-sponsors.

28. Following the first independent evaluation¹⁵ of the Joint Programme, the Programme Coordinating Board, at its 14th meeting, held in June 2003, asked the UNAIDS secretariat to provide regular reporting on actions taken in response to

¹⁵ UNAIDS, document UNAIDS/PCB (24)/09.12.

Board recommendations. At its 27th meeting, the Board, in response to the second independent evaluation,¹⁶ asked the Bureau of the Board to commission and consider reports from the secretariat on the implementation of Board decisions.

29. In response to the second independent evaluation, the Programme Coordinating Board, at its 24th meeting, held in June 2009, established a working group to review Board working methods and to prepare proposals for consideration by the full Board to implement the recommendations of the second independent evaluation. After reviewing the findings and recommendations of the working group, the Board took several steps to strengthen oversight and accountability of the Joint Programme, including measures to enhance the strategic impact of resource allocations within the Joint Programme and to ensure that the footprint and competencies of Joint Programme staff were aligned with epidemic priorities. At its 27th meeting, the Board pledged to refocus its work in order to ensure that technical support provided by the Joint Programme was aligned with epidemic priorities and that the Joint Programme was held accountable for achieving concrete results, including by taking progress into account in allocating roles and resources within the Joint Programme.

30. In response to the COVID-19 pandemic, the Programme Coordinating Board took steps to adapt its procedures to ensure the continuity of governance and oversight work. In addition to holding its meetings virtually, the Board has held preparatory meetings to support careful consideration and negotiation of agenda items and has utilized a secure platform to facilitate the collection of statements in advance. As a result of its innovative and forward-thinking approach, the Board was the first United Nations system governing body to hold its meeting as planned.

31. The Programme Coordinating Board remains committed to continuing to review and strengthen areas of work.

Clarifying and strengthening oversight of the Joint United Nations Programme on HIV/AIDS

32. In 2019, the Joint Inspection Unit, the only independent external oversight body of the United Nations system that is mandated to conduct evaluations, inspections and investigations system-wide, issued a report in which it summarized its findings, conclusions and recommendation following an independent assessment of the regulatory frameworks and related practices concerning the management and administration of UNAIDS and its secretariat, highlighting areas of concern and in need of improvement.¹⁷ In the report, the Joint Inspection Unit focused on a range of organizational issues for the Joint Programme, including strategic and operational planning, human resources management and administrative services, as well as governance, oversight and accountability. The Joint Inspection Unit issued three formal and seven informal recommendations for the Programme Coordinating Board.

33. At its 45th meeting,¹⁸ the Programme Coordinating Board established, through the Bureau, a geographically balanced, time-bound working group with a mandate limited to reviewing relevant recommendations of the Joint Inspection Unit. The working group held five meetings, all in a virtual format, to examine, analyse and develop implementation options for the 10 recommendations directed to the Board.

¹⁶ UNAIDS, document UNAIDS/PCB(29)/11.21.

¹⁷ UNAIDS, document UNAIDS/PCB (45)/19.37.

¹⁸ UNAIDS, Decisions of the 45th meeting of the UNAIDS Programme Coordinating Board, 10–12 December 2019.

34. In accordance with the mandate of the Programme Coordinating Board, the working group provided an interim report at the Board's 46th meeting¹⁹ and a final report at the 47th meeting,²⁰ in which it outlined recommendations on options for implementing the formal and informal recommendations of the Joint Inspection Unit directed to the Board. In formulating the options implementing for those recommendations, the working group considered a broad range of information, including: Joint Inspection Unit recommendations on best practices for strategy, governance, oversight and accountability; pertinent policies and practices of other United Nations entities; and advice of the legal counsel of the Board regarding the Board's latitude in taking actions recommended by the Joint Inspection Unit, with particular attention to the scope of action permitted the Board under the original resolutions by which the Council established the Joint Programme. The Board reviewed the working group's recommendations at its 47th meeting.

Recent steps to strengthen and clarify the oversight and accountability roles of the Programme Coordinating Board

35. In point 13.2 of its decision under agenda item 11, adopted at the 47th meeting of the Programme Coordinating Board,²¹ the Board accepted formal recommendation 3 of the Joint Inspection Unit, according to which the Board would revise its modus operandi to clarify its roles and responsibilities and embed oversight and accountability mechanisms in the oversight of UNAIDS and its secretariat. In accordance with the recommendation of the working group, the Board determined that the optimal means for implementing the recommendation would be through approval of an annex to the modus operandi, which would clarify the Board's roles and responsibilities with respect to oversight and accountability of the Joint Programme. In the annex,²² numerous areas of Board oversight are addressed, including regular reporting by the Joint Programme, strategy development and implementation, financial management, ethics reporting, evaluation, human resources management and risk management.

36. The amended modus operandi also establishes an independent, external oversight advisory committee to aid the Programme Coordinating Board in fulfilling its governance and oversight responsibilities, in line with Joint Inspection Unit formal recommendation 5. In opting for a committee whose members are independent of the Board, the Board considered the practices and experiences of other United Nations entities that have independent oversight bodies in place, as well as Joint Inspection Unit documentation of best practices on oversight committees in the United Nations system. The Board indicated that the independent, external oversight advisory committee review and recommend, as part of its first plan of work following establishment, further strengthening of the risk management of the Joint Programme.

37. At its 47th meeting, the Programme Coordinating Board approved the terms of reference for a new, independent, external oversight advisory committee.²³ The advisory committee will consist of no fewer than five and no more than seven members, who will broadly mirror the representation of the Board, taking into account factors such as geographic regions, gender, levels of national economic development and inclusion of civil society. The terms of reference include provisions intended to ensure the genuine independence of the oversight advisory committee and to avoid conflicts of interest. The independent, external oversight advisory committee will have full and unrestricted access to the information it needs to provide advice and

¹⁹ UNAIDS, document UNAIDS/PCB (46)/20.15.

²⁰ UNAIDS, document UNAIDS/PCB (47)/20.39.

²¹ UNAIDS, Decisions of the 47th meeting of the UNAIDS Programme Coordinating Board.

²² See UNAIDS, document UNAIDS/PCB (47)/20.39, annex 2.

²³ Ibid., annex 3.

guidance on oversight and accountability. The committee will report to the Board and the Executive Director on the operational implications for the Joint Programme of the issues and trends that the committee identifies through its work.

Selection and oversight of the Executive Director position

38. The Secretary-General is responsible for selecting and directly supervising the performance of the Executive Director. The Programme Coordinating Board plays a key role in the process of selecting the Executive Director. For the selection of the current Executive Director, in 2019, the Board established a search committee, composed of Member States, co-sponsors and NGO representatives serving on the Board, and identified the key competencies and experiences that the new Executive Director should possess. The search committee came up with a shortlist of five candidates, and Board members and observers provided input into the selection process at the 44th meeting of the Board, held in June 2019.^{24,25} Taking into account the input of the Board, the Committee of Co-sponsoring Organizations interviewed the candidates on the shortlist and conveyed its recommendation for the new Executive Director to the Secretary-General, who announced the appointment of Winnie Byanyima on 14 August 2019.

39. In examining implementation options for the Joint Inspection Unit's recommendations, the Programme Coordinating Board also deliberated on the performance expectations for the Executive Director. The Board acknowledged that the Secretary-General holds the oversight responsibility for the Executive Director position whereas the Board is responsible for the oversight of the Joint Programme. The new annex to the Board's modus operandi serves to clarify that, in cases in which allegations against the Executive Director or other issues regarding the performance of the Executive Director constitute a governance issue, the Board's appropriate course is to raise these issues with Economic and Social Council.

40. With respect to the Executive Director position, the Joint Inspection Unit recommended that the Programme Coordinating Board engage with the Secretary-General to consider establishing a term limit for the position in order to promote greater certainty in succession planning and a compact that would provide transparency with regard to performance expectations. As part of its examination of the implementation options for the Joint Inspections Unit's recommendations directed to the Board, the working group reviewed the policies and practices of other United Nations bodies and found that most of them limited the terms of office of their executive heads to no more than two terms of four to five years each.

41. The working group agreed that the Joint Programme should align its practices with those of organizations within the broader United Nations system with respect to term limits for its executive head, but determined that the Board did not have the legal authority to petition the Secretary-General directly to establish term limits or to clarify performance expectations for the Executive Director. At its 47th meeting,²⁶ the Board agreed to include in its report to the Economic and Social Council a recommendation for the Council to request the Secretary-General to submit a report, upon consultation with the Board, on the establishment of two four-year term limits and performance expectations for the position of Executive Director in line with the best practices of the United Nations system as recommended by the Joint Inspection Unit.

²⁴ See UNAIDS, document UNAIDS/PCB (44)/19.22, paras. 25–28.

²⁵ UNAIDS, Decisions of the 44th meeting of the UNAIDS Programme Coordinating Board, 25–27 June 2019.

²⁶ UNAIDS, Decisions of the 47th meeting of the UNAIDS Programme Coordinating Board, 15–18 December 2020.

Enhancing key functions of oversight and accountability

42. The Programme Coordinating Board has taken steps to strengthen the independent and ongoing evaluation of the Joint Programme. The Board approved a UNAIDS evaluation policy at its 44th and 45th meetings and approved an evaluation plan for the period 2020–2021, which includes annual reporting on implementation by the UNAIDS Evaluation Office.

43. The first annual report by the UNAIDS Evaluation Office was reviewed by the Programme Coordinating Board at its 47th meeting. It summarized the results of six evaluations of all or parts of the Joint Programme, outlined the establishment and early work of an expert advisory committee on evaluation and noted evaluations planned for 2021. At its 47th meeting, the Board asked the UNAIDS Executive Director to ensure that the evaluation function remained adequately resourced and staffed in accordance with the approved evaluation policy.

44. The Joint Programme, through the Executive Director and the Programme Coordinating Board, is in the process of establishing an independent Ethics Office. The Ethics Office will report independently under a standing Board agenda item on organizational oversight, in accordance with recommendations of the Joint Inspection Unit. The new independent, external oversight advisory committee will review the reports of the independent Ethics Office and provide recommendations to the Board, as appropriate, on any necessary follow-up action on ethical matters.

Monitoring the performance of the Joint Programme

45. A key feature of the Programme Coordinating Board’s oversight and accountability functions is its regular monitoring of the Joint Programme’s performance against indicators set forth in the agreed results framework – originally, the UNAIDS Unified Budget and Workplan and, in recent years, the UNAIDS Unified Budget, Results and Accountability Framework. Since the beginning of the Joint Programme, the granularity and clarity of performance reporting has improved, with particular efforts made to enable the Board to link investments with specific results and impact. Performance monitoring reports submitted to the Board provide clarity regarding the collective achievements of the Joint Programme as a whole, as well as the specific contributions of individual co-sponsors, towards the strategic results and indicators linked to the new Global AIDS Strategy entitled “End inequalities. End AIDS. Global AIDS Strategy 2021–2026”. Country case studies and additional evaluation studies provide information that enables the Board to monitor the Joint Programme’s performance, and regional results summaries document how the work of the Joint Programme has supported progress in responding to HIV in different regions of the world.

Strengthening and sustaining co-sponsor ownership of the Joint Programme

46. The active engagement of co-sponsors is one of the defining features of the Joint Programme. Co-sponsorship of the Joint Programme is limited to United Nations system organizations. The Committee of Co-sponsoring Organizations is composed of the heads of the entities; facilitates the input of co-sponsors into the strategy, policies and operations of the Joint Programme; ensures that relevant Programme Coordinating Board decisions are discussed by the respective boards of the co-sponsors; and ensures that pertinent objectives in Joint Programme’s global-level frameworks are incorporated into the co-sponsors’ results frameworks. The secretariat of UNAIDS and the co-sponsors also actively collaborate, as relevant, with other

United Nations entities and intergovernmental organizations at the global, regional and country levels on specific issues in the context of HIV.

47. The co-sponsors commit to a set of principles, including a pledge to use their comparative advantages to advance the Joint Programme's work, to mainstream HIV in their organizational agendas and work, and to allocate dedicated resources to support HIV-related activities. Taking into account the marked changes that have occurred in the HIV epidemic and response since the drafting of the original set of co-sponsor principles, the co-sponsors have taken steps to implement the Joint Inspection Unit's recommendation to reassess the relevance and validity of the guiding principles for co-sponsorship.

48. The updated guiding principles developed by the co-sponsors include editorial changes to align the wording with current Joint Programme terminology and with changes in funding allocations and operating procedures within the Joint Programme. The serve to reaffirm the commitment of the co-sponsors to bring a comparative advantage to the work of the Joint Programme, to engage at a senior level with the Joint Programme through the Committee of Co-sponsoring Organizations, and to participate in agreed UNAIDS results frameworks. The governing body of each co-sponsor must expressly consider how the organization is addressing HIV within its mandate and policies. Under the revised guiding principles, each co-sponsor agrees to have a strategy and framework that advances the goals of the Joint Programme, designates its own resources to fund HIV-related issues (including through dedicated staff), has resources and capacity at the regional and country levels to implement HIV-related activities, actively participates in the Joint United Nations Team on AIDS in countries where it has a presence, and implements a clear, well-disseminated, stand-alone or integrated HIV workplace policy. At its 47th meeting, the Programme Coordinating Board encouraged implementation of the revised guiding principles, with the focus on efficiency, effectiveness and the use of evidence-based approaches.²⁷

49. Following the second independent evaluation, the Programme Coordinating Board took steps at its 26th meeting, held in June 2010,²⁸ to revitalize the role of the Committee of Co-sponsoring Organizations in the Joint Programme. The Board mandated two meetings of the Committee per year. Acknowledging the enhanced de facto role of the UNAIDS Global Coordinator of each co-sponsor, the Board recommended greater investments by Global Coordinators and the secretariat of UNAIDS in preparing the Committee's agenda and ensuring that the deliberations of heads of the co-sponsoring organizations were focused on progress towards implementation of the UNAIDS strategy. The Board enhanced the role of the Committee in the consideration of additional co-sponsors and in agreeing on benchmarks for performance monitoring.

50. Regular reporting by co-sponsors ensures their ongoing input into and ownership of the work of the Joint Programme. The Chair of the Committee of Co-sponsoring Organizations attends meetings of the Programme Coordinating Board to deliver an oral report on the Committee's work, in accordance with the recommendations of the Board following the second independent evaluation. As previously noted, the Committee plays a central role in the selection of the Executive Director, by interviewing candidates on the shortlist and making a recommendation to the Secretary-General.

²⁷ UNAIDS, Decisions of the Virtual 47th meeting of the UNAIDS Programme Coordinating Board.

²⁸ UNAIDS, Decisions, recommendations and conclusions of the 26th meeting of the UNAIDS Programme Coordinating Board, 22–24 December 2010.

51. The Programme Coordinating Board has taken numerous steps to strengthen linkages with the governing boards of the co-sponsors. Following the first independent evaluation, the Board agreed at its 15th meeting that the Chair of the Board would routinely relay Board recommendations to the Chairs of the governing boards of co-sponsors, in order to encourage those boards to discuss and act on relevant decisions. At its 26th meeting,²⁹ and in response to the second independent evaluation, the Board recommended that UNAIDS Global Coordinators and the UNAIDS secretariat focus the deliberations of heads of the co-sponsoring organizations on key Board decisions that needed to be discussed with co-sponsor governing boards. At its 26th meeting, the Board pledged to work with the Executive Director and the co-sponsors to ensure, where possible, that the agenda of the governing boards included regular discussions of key Board decisions. In recent years, the Board has worked to improve and sharpen its decision points, with the aim of providing greater clarity and guidance to the governing boards. At its 47th meeting,³⁰ the Board acknowledged the importance of communicating to the governing boards decisions that were relevant to their participation in the Joint Programme.

52. In response to the recommendations of the Global Review Panel, the Programme Coordinating Board approved an action plan that updates the Joint Programme's operating model. A key aim of the updated model is to promote joint work and to maximize the full participation of co-sponsors in the work of the Joint Programme. A refined division of labour has clarified roles and responsibilities within the Joint Programme. Country envelopes of focused, catalytic funding are now used to support results-focused, high-impact work by co-sponsors at the country level.

V. Ensuring sustainable core funding for the Joint United Nations Programme on HIV/AIDS

53. Flexible core funding accounts for a high level of the Joint Programme's total funding (79.9 per cent in 2019), a reflection of the confidence that donors have in the value of investing in the work of the Joint Programme. Further buttressing the confidence of UNAIDS donors in the accountability of the Joint Programme are the many efforts undertaken by the Programme Coordinating Board to adapt and improve its oversight and accountability functions. The Joint Programme's funding profile is closely aligned with the quadrennial comprehensive policy review and the reform agenda of the Secretary-General for the United Nations development system, with the percentage of flexible core funding comparing favourably with the percentages reported by the co-sponsors.

54. Persistent underfunding of the Unified Budget, Results and Accountability Framework since 2014 has made the work of the Joint Programme more challenging and has slowed global progress towards reaching the 2030 target of ending AIDS as a public health threat. Underfunding of the Framework has coincided with a flattening of overall investments in the global HIV response. This underscores the urgent need for innovative approaches and a renewal of global solidarity to mobilize the resources needed to achieve global AIDS targets.

²⁹ Ibid.

³⁰ UNAIDS, Decisions of the Virtual 47th meeting of the UNAIDS Programme Coordinating Board.

Funding of the Joint Programme

55. UNAIDS relies on voluntary contributions from donors and development partners, including Governments, bilateral aid agencies and foundations. In 2019, voluntary contributions to the Joint Programme amounted to \$228.1 million, including \$217.3 million contributed by 27 Governments, \$3.7 million contributed by co-sponsors and \$2.3 million received from intergovernmental organizations, other United Nations organizations, other institutions and the private sector. Of the total amount involuntary contributions in 2019, \$184.1 million represented core funding, while \$43.9 million consisted of non-core resources.

56. Core funding supports the core functions of the secretariat of UNAIDS, as well as catalytic funding to the co-sponsors. All core funding for the Joint Programme is intended to be catalytic by stimulating political leadership, mobilizing essential resources, collecting and using strategic information and evidence-based programming, and achieving concrete results for people. Since 2015, the core funding share of total UNAIDS funding has fluctuated, albeit at a high level, ranging from 75.9 per cent in 2017 to 88.9 per cent in 2015 and 85.9 per cent in 2018. In addition to the core funding co-sponsors receive through the Unified Budget, Results and Accountability Framework, they allocate additional resources within their own organizational budgets to support HIV-related activities and programmes.

57. Non-core funding is typically earmarked for specific activities or projects. It represented 11.1 per cent of total funding in 2015, 21.4 per cent in 2016, 24.1 per cent in 2017, 14.1 per cent in 2018, 20.1 per cent in 2019 and 22.3 per cent (projected) in 2020.

58. Twenty-five Governments contributed core funding to UNAIDS in 2019. However, UNAIDS remains heavily dependent on a small group of funders for the bulk of its resources. In 2019, six Governments (United States of America, Sweden, Netherlands, United Kingdom of Great Britain and Northern Ireland, Norway and Switzerland) accounted for \$145.1 million, or 78.8 per cent, of the Joint Programme's core funding. Those six Governments contributed 75.7 per cent of total UNAIDS funding in 2019.

Persistent underfunding of the Unified Budget, Results and Accountability Framework

59. Since 2014, contributions to the Joint Programme have fallen short of amounts budgeted in the Unified Budget, Results and Accountability Framework. Persistent underfunding of the level of funding – \$242 million – approved by the Programme Coordinating Board for the Framework has posed challenges for both the Joint Programme and the broader HIV response. Underfunding of the Framework has occurred at a time when overall funding for the HIV response in low- and middle-income countries has flattened. Total AIDS resources increased by 20 per cent in the period from 2010 to 2015, but by only 3 per cent in the period from 2015 to 2019. The COVID-19 pandemic, which has generated major new funding needs while also damaging national economies and constraining fiscal space, is likely to make mobilizing sufficient resources for the global HIV response even more challenging in the intermediate term.

60. Funding shortfalls of the Framework have contributed to a slowdown of progress in the global HIV response. In recent years, as underfunding of the Framework has challenged the ability of the Joint Programme to lead and catalyse a robust global response, the rate of decline in new HIV infections has slowed. Similarly, AIDS-related deaths decreased by 21 per cent in the period from 2010 to 2014, when the Framework was fully funded, but by only 17 per cent in the period

from 2015 to 2019. Antiretroviral treatment coverage among pregnant women living with HIV rose from 45 per cent in 2010 to 80 per cent in 2014, but increased very slowly thereafter, reaching 85 per cent in 2019. With gains in the response slowing after 2015, the world did not achieve the ambitious fast-track targets set out in the 2016 Political Declaration on Ending AIDS.

61. Funding gaps have led to important refinements and adaptations in the Joint Programme's working methods. The initial funding reduction for the Framework in 2014 led to the convening of the Global Review Panel on the future of the UNAIDS Joint Programme model, which in turn led UNAIDS to implement a new operating model that is designed to maximize the Joint Programme's effectiveness in the face of resource constraints. The Joint Programme's footprint evolved, with the UNAIDS presence better tailored to country priorities and contexts, including an enhanced presence in high-burden fast-track countries. The UNAIDS division of labour was revised to better leverage the comparative advantages of co-sponsors and the secretariat, and core funding to co-sponsors was reduced, although the new operating model enabled co-sponsors to obtain catalytic funding through country envelopes for the first time.

62. Funding dialogues planned in 2021 in the context of the development of the new Framework will offer opportunities to engage with stakeholders around resource requirements and allocation, accountability mechanisms, funding scenarios and other means for facilitating multi-year core and non-core agreements.

63. The Programme Coordinating Board appreciates the Joint Programme's work in the context of funding reductions and the continuation of strong ambition in the Strategy, but also recognizes that underfunding negatively affects the Joint Programme's ability to effectively support countries in achieving their HIV-related targets and commitments.

64. To strengthen resource mobilization efforts, UNAIDS presented a strategic resource mobilization plan to the Programme Coordinating Board in December 2017.³¹ The plan is focused on three broad pillars: sustain, strengthen and engage government donor funding; expand private sector funding; and leverage other partnerships and innovative financing.

65. The Programme Coordinating Board continues to oversee enhancements to the accountability, transparency, efficiency and effectiveness in the funding of the Joint Programme, as called for in the 2020 quadrennial comprehensive policy review, including in the development of the new Framework. The consistently high proportion of core funding within the total funding of the Joint Programme demonstrates that donors are confident that they can have sufficient oversight and accountability for their investments, through the reporting done by the Joint Programme to the Board. Going forward, it will be critical to continue to motivate donors to ensure an adequate and predictable level of core and non-core funding on a multi-year basis to ensure that the Joint Programme is able to continue to provide support to countries until there is an end to the AIDS epidemic.

Alignment of funding for the Joint Programme with United Nations reform and the 2030 Agenda for Sustainable Development

66. The Strategy and the Unified Budget, Results and Accountability Framework, which carries the Strategy forward, are fully aligned with and explicitly linked with the 2030 Agenda. As the Global Review Panel concluded, the Joint Programme's

³¹ UNAIDS, document UNAIDS/PCB (41)/17.21 rev1.

multisectoral model is an innovative partnership which embodies the approaches demanded by the 2030 Agenda. Consistent with the 2030 Agenda, the UNAIDS Strategy and Framework prioritize concrete actions to reach those who are furthest behind first.

67. Beyond alignment with the 2030 Agenda, the Global Review Panel found that UNAIDS already had extensive experience in advancing, and had already achieved, key requirements set out in the 2016 quadrennial comprehensive policy review. Further alignment has been achieved since 2018 through the implementation of the UNAIDS action plan and the UNAIDS revised operating model, including integrated results, resources and monitoring framework; an updated division of labour; flexible, timely, coherent and coordinated support to countries and a focus on the most vulnerable people; and the fostering of national capacities through inclusive partnerships for results.

68. As reflected in the recommendations contained in the quadrennial comprehensive policy review, specific actions were mandated in the action plan to improve the transparency and accountability of interagency pooled funding mechanisms, including improved reporting of results under the Unified Budget, Results and Accountability Framework. Consistent with the 2016 quadrennial comprehensive policy review, the Joint Programme, through implementation of the action plan, invested in well-designed, pooled funding to complement agency-specific funding; strengthened joint United Nations work at the country level; and established country envelopes to promote catalytic efforts to support and accelerate national HIV responses. UNAIDS is also compliant with the International Aid Transparency Initiative and its results and transparency portal, including an improved performance monitoring portal that has enhanced public transparency and accountability on the Joint Programme's work, resources and results at all levels.

VI. Recommendations

69. **The Economic and Social Council may consider the following actions:**

(a) To take note of the report of the Programme Coordinating Board transmitted to the Council;

(b) To agree with the recommendation of the Programme Coordinating Board that the Secretary-General be requested to submit a report, after consultation with the Board, on the establishment of two four-year term limits and performance expectations for the position of Executive Director of the Joint United Nations Programme on HIV/AIDS, in line with the practices of the United Nations system and as recommended by the Joint Inspection Unit;

(c) To express appreciation for the initiative of the Board to continue to update the Board's oversight role within its mandate and in response to the evolution of the HIV epidemic and the work of the Joint Programme, in line with the best practices of the United Nations system;

(d) To request that the reports of the Board transmitted to the Council be examined together with the report of the Executive Director of the Joint United Nations Programme on HIV/AIDS submitted under the same agenda item.