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22nd Meeting of the UNAIDS Programme Coordinating Board
Chiang Mai, Thailand
23-25 April 2008

Provisional agenda item 4:

Process for nomination of the Executive Director

Additional documents for this item: *none*

Action required at this meeting – the Programme Coordinating Board is invited to:
(See decision paragraphs below)

6. agree the creation of a Search Committee to oversee the process of nomination of the new Executive Director for UNAIDS;
7. agree the elements for inclusion in the Terms of Reference for the Search Committee;
8. agree the desired competencies and experience for the position of Executive Director;
9. agree the composition of the Search Committee;
11. agree the process for establishment of the Search Committee;
12. request the Chair of the Programme Coordinating Board to prepare a code of conduct for the members of the Search Committee;
13. agree the steps for the nomination process; and
16. agree the budget for the nomination process.

Cost implications for decisions: a maximum budget is requested of USD 209,800.

INTRODUCTION

1. At the 21st meeting of the Programme Coordinating Board in December 2007 there were calls from delegates for the Secretariat to facilitate discussions in the Board on the process for the nomination for the next Executive Director of UNAIDS. Subsequent to this meeting the Chair and Vice Chair of the Board, mindful of this request and their obligations to facilitate the work of the Board, asked the Secretariat to prepare a paper for the 22nd Programme Coordinating Board that would inform discussion on this subject. This paper, therefore, is intended to set out the process that was followed in 1994 in the nomination of the first Executive Director for UNAIDS, and to provide options for the Programme Coordinating Board on a process for nomination of the next Executive Director. It will recall the historic perspective of the first process, draw lessons from that experience, and make suggestions on the way forward.

HISTORY OF NOMINATION OF THE FIRST EXECUTIVE DIRECTOR

2. In 1994, at the time of the establishment of UNAIDS and prior to the formation of the Programme Coordinating Board, responsibility for the process for identifying candidates for the Executive Director of the Joint Programme was led by the Global Task Force on HIV Coordination. This was a twelve-member “committee” comprising 6 member states, 3 NGOs and 3 UN organizations¹. The Task Force elected Sweden as its Chair.
3. The milestones for the nomination process were:
 - a. ECOSOC resolution: The UN Economic and Social Council (ECOSOC) resolution (1994/24) that established UNAIDS includes provision for the nomination of an Executive Director for the Joint Programme:

Operative paragraph 5: “Also invites the six co-sponsors, through the Committee², to initiate action to fill the position of director of the joint and co-sponsored programme as soon as possible, through an open, wide-ranging search process, including consultation with Governments and other concerned parties, and to submit their nominee to the Secretary-General, who will make the appointment”;

Operative paragraph 16: “A programme director will be appointed by the Secretary-General upon the recommendation of the co-sponsors. This will follow a search process undertaken by the co-sponsors which will include consultation with Governments and other interested parties. The director will report directly to the programme coordinating board, which will serve as the governance structure for the programme. Annual reports prepared by the

¹ The 12 members of the Task Force were: the Netherlands, Sweden, USA, Bulgaria, India, Sudan, the World Bank, WHO, UNDP, AIDS Coordination Group (Netherlands-based), GNP+ and ENDA – Tiers Monde (Senegal)

² The term “Committee” here refers to the Committee of Cosponsoring Organizations

director will be submitted to the board and will also be made available to the governing body of each of the co-sponsors”.

- b. Memorandum of Understanding on UNAIDS: paragraph 7.1 of the Memorandum of Understanding on a Joint and Cosponsored United Nations Programme on HIV/AIDS also provides for the appointment process of Executive Directors in the following terms: *“An Executive Director shall head the UNAIDS Secretariat. The Executive Director shall be appointed by the Secretary-General of the United Nations, upon the consensus recommendation of the Cosponsoring Organizations...”*
- c. launch of search for candidates: this was based upon a Terms of Reference for the position that had proposed broad qualities, namely, that the incumbent should have technical skills and be respected in the field of AIDS and political skills that would facilitate resource mobilization. An invitation was sent to all permanent missions in Geneva and NGOs and UN organizations by the Chair of the Task Force inviting them to submit candidates. No cap was placed on the number of nominations that could be submitted, however, they would only be accepted on the basis of regional and/or constituency submission i.e. from one of the following groups:
 - Member States – Western European and Other states, African states, Asian states, Eastern European states, and Latin American and Caribbean states.
 - Civil Society
 - UN system (through the UN organizations on the Task Force)
- d. Deadline for submission of nominations: 14 nominations were received, of which 5 were removed by the Task Force, in consultation with the individuals concerned, on the basis that they had not been submitted through, and had not received the support of, one of the constituency groups (listed above).
- e. Request for support from constituencies: the remaining 9 nominations were sent back to all the constituencies (permanent missions in Geneva and New York, civil society and the UN system) with a request that each group identify from the list both their preferred and acceptable candidate(s).
- f. Production of a matrix: the Task Force compiled a matrix of responses from the constituencies from which it emerged that there was the majority of support for two candidates.
- g. Transmission of results to Chair of CCO: the Chair of the Task Force wrote to the Chair (WHO) of the Committee of Cosponsoring Organizations (CCO) attaching the full matrix showing the levels of support for all 9 candidates, with a covering letter indicating the two preferred names.
- h. Interviews: the CCO interviewed the preferred candidates.
- i. Transmission of outcome to UN Secretary General: the Chair of the CCO forwarded a letter to the UN Secretary General indicating support for the proposals contained therein.

- j. Appointment of Dr. Piot: the UN Secretary General appointed Dr Peter Piot as Executive Director. Secretary-General's report to ECOSOC (E/1995/71), paragraph 26: *"Following an open and wide-ranging search process, including consultation with Governments and other concerned parties, the six co-sponsors unanimously agreed on a nominee for the directorship at the second meeting of the Committee on 12 December 1992 [sic.1994]. They submitted their nominee, Dr. Peter Piot, to the Secretary-General, who announced the same day his decision to appoint Dr. Piot director of the Joint Programme."*
4. This process was begun in July 1994 and concluded with the appointment of Dr. Piot as Executive Director of UNAIDS on 12 December 1994.

LESSONS LEARNED FROM THE HISTORICAL PROCESS

5. A number of lessons were learnt from the process undertaken in 1994: that it was transparent and fully inclusive of all constituencies; that the Task Force led the process but did not, at any point, make judgements on the number or quality of nominations, thus ensuring the legitimacy of the process; and, that the mechanism for selecting and indicating support for candidates sat wholly with the constituencies with no influence from the Task Force. Also, the UN Secretary General had been fully engaged in the process from the outset and had agreed with it. In addition the following principles were identified:
- that the constituencies were defined as Western European and Other states (WEOG), African states, Asian states, Eastern European states, Latin American and Caribbean states, PCB NGOs, and the Cosponsors;
 - all constituencies (member states, civil society and Cosponsors) had an equal role in nominating candidates and identifying support for the different nominees;
 - that the overseeing body (the Task Force) adhered to a pre-agreed code of conduct;
 - that the process was transparent at all times;
 - that the process was legitimate, in that the overseeing body cannot be able to make judgements on the quality of a particular candidate, rather it can only ensure that due process is observed; and
 - mindful of the ECOSOC resolution, the CCO had the final responsibility for transmitting nominations to the UN Secretary General with recommendations on the preferred candidates.

PROPOSED NOMINATION PROCESS FOR THE NEXT EXECUTIVE DIRECTOR

6. Recognizing the role that was played by the Task Force in the 1994 process **the Programme Coordinating Board is invited to agree that a Search Committee be established to oversee the process of nomination for the next Executive Director for UNAIDS.**
7. Mindful of the role played by the Task Force in the previous Search process, and cognizant of the evolution in the UN System architecture since that original process (e.g.

the formation of the Programme Coordinating Board), **the Programme Coordinating Board is invited to agree the following elements for inclusion in the Terms of Reference for the Search Committee, namely that the Committee:**

- will ensure that the process for submitting nominations and individual applications is duly adhered to;
- may work with an executive search company to compile applications and produce a short list based upon the job description (see Annex I) and competencies for the position (see paragraph 8 below); and
- will be responsible for submitting to the Chair of the CCO the outcomes of the nomination process in its entirety, including the short list of candidates, a detailed report of the process that had been undertaken, and a full list of all candidates that had been considered.

Competencies for the position of Executive Director

8. To enable the executive search company to short list candidates there will need to be an agreed outline of desired competencies and experience for the position. Based upon the existing job description the **Programme Coordinating Board is invited to agree the following desired competencies and experience for the position of Executive Director of UNAIDS:**

Leadership and Strategic Management:

- Extensive experience – ideally more than ten years – of successful management and leadership in complex public, private or international organization(s);
- Proven leadership, vision and strategic thinking, with clear results in development at international or national level;
- Clear vision on the current and future response to AIDS;
- Political and cultural sensitivity, communication and external representation skills, with the proven ability to relate and work effectively and strategically with partners at all levels;
- Strategic thinking on ownership and engagement of partners and stakeholders on development issues;
- Understanding of governance processes at the international or national level;
- Competence in the management of staff, teams, finances and processes within international organizations, public or private sectors, NGOs or private foundations;
- Commitment to implementing the core principles of the Joint Programme as articulated most recently through the 2006 UN General Assembly Political Declaration on HIV/AIDS, the 2007-2010 Strategic Framework for UNAIDS Support to countries' efforts to move towards universal access, and the 2008-2009 Unified Budget and Workplan;
- Vision, understanding and strategic thinking on the challenges and opportunities that face UNAIDS;
- Commitment to promote involvement of people living with, or affected by, HIV;

- Proven ability to identify and nurture talent, to encourage diversity and foster team building;
- Excellent inter-personal skills, cultural and gender sensitivity and respect; and
- Ability to manage change and innovation.

International Experience with Health and Development:

- Experience in working on global issues;
- Excellent understanding of working in developing countries, including implementation challenges;
- Experience and knowledge related to public health and HIV/AIDS at the international and national level;
- Experience and knowledge of international development and public policy processes;
- Experience working with multiple sectors, such as international organizations, governments, NGOs and the private sector; and
- Good language skills: ability to work in English, and ideally fluency in at least another language of the United Nations.

Composition of a Search Committee

9. The Search Committee may be established using a number of models. It is suggested that the Programme Coordinating Board consider using a modified version of that used in 1994. Changes to the previous model are suggested based upon the need to respect the role of the Cosponsors in the process and to enable each regional grouping of member states to be represented. It is further suggested that only current Board members or participants (in the case of the Cosponsors and PCB NGO delegation) may be eligible to be a member of the Committee). Therefore, **the Programme Coordinating Board is invited to consider the following model for the composition of a Search Committee:**

6 member states (2 WEOG states and 1 from each of the other four geographical regions as defined by ECOSOC), 2 NGOs and 4 Cosponsors

10. The Secretariat shall only provide logistical support to the Search Committee, including travel and meeting arrangements, as necessary. It will participate in meetings only as a note taker (a single individual) working directly to the Chair of the Committee, as necessary.

11. Once the Board has decided on a model for the composition of the Search Committee it is proposed that the Chair of the Programme Coordinating Board³ invite proposals for membership. **The Programme Coordinating Board is invited to agree the following process for the establishment of the Search Committee:**

- Within 2 weeks of the closing of the 22nd Board meeting the Chair of the Programme Coordinating Board to invite proposals for membership from each

³ Where the Chair of Programme Coordinating Board is referenced in this document, it should be understood that the Chair will work in consultation and agreement with the Programme Coordinating Board Bureau in carrying out these responsibilities.

- (member state) region and constituency (NGOs and CCO); each group should present a consensus nominee if possible;
- Each constituency will be requested to submit the exact number of nominations to fill the number of places on the Committee for that particular constituency;
 - If the number of nominations exceeds or is less than the number of places on the Committee for a particular constituency, the Chair of the Programme Coordinating Board will contact all members of that constituency represented on the Board for further discussion and agreement;
 - Once the Committee is established the Chair of the Programme Coordinating Board will communicate the names of the members to all member states, PCB NGOs and Cosponsors;
 - The Search Committee shall elect a Chair from within its membership.

Code of Conduct for the Search Committee

12. In establishing a Search Committee of this type it would be best practice to ask Committee members to abide by a code of conduct, thus further safeguarding the transparency and legitimacy of the nomination process. **The Programme Coordinating Board is invited to request the Chair of the Programme Coordinating Board to prepare a code of conduct which should include the following elements, and to require all members of the Search Committee to sign such a code:**

- No Committee member shall advocate for, or manipulate the nomination process, in favour of a particular candidate;
- All aspects of the Committee's work will be transparent and communicated to Board members and participants as shown in the timeline below as well using other communication channels, such as, publishing the minutes of Committee meetings on the UNAIDS website;
- That any issue affecting the work of the Committee that cannot be resolved by it is referred to the Programme Coordinating Board Chair who will, in consultation with the Programme Coordinating Board Bureau, facilitate a resolution and inform the Board accordingly.

Timeline for the nomination process

13. **The Programme Coordinating Board is invited to consider the following steps for the nomination process:**

Week 1	Chair of PCB invites proposals for membership of the Search Committee.	PCB Chair
Week 7	Deadline for submission of names for Search Committee	PCB Chair
Week 10	Conclusion of consultations as necessary with constituency groups. Composition of Search Committee is announced and transmitted by electronic means to PCB constituencies	PCB Chair

Week 12	First meeting of Search Committee	PCB Chair
Week 13	Call for nominations and applications; to include advertisements in international media	Search Committee Chair
Week 17	Deadline for submission of nominations and applications	All constituency groups
Week 21	Second meeting of Search Committee to review and establish a short list	Search Committee Chair
Week 22	Short list of candidates sent to the PCB for consideration. The Search Committee will then send the list to the CCO Chair together with any comments and recommendations of the PCB	Search Committee Chair
	CCO to consider the list of nominations and to interview short-listed candidates, as desired	CCO Chair
Week 24	CCO to send formal nomination to UN Secretary General	CCO Chair

Budget for the nomination process

14. The estimated budget assumes that the Committee will meet twice:

Search Committee of 12 members:	Estimated cost (US\$)
Meeting costs (for a total of 2 meetings – assuming they are held in Geneva)	4,000
Travel (12 people for 2 meetings– flights @ \$3,000 per person)	72,000
Per diem (12 people for 2 meetings– 4 days @ \$300 per day)	28,800
Contingencies	5,000
TOTAL:	109,800

15. In addition to the meeting costs for the Nomination Committee a budget will be needed for the retention of an Executive Search company. This is estimated at USD 100,000 and comprises advertising costs, tendering costs and 10 weeks contracted work by the company.

16. It should be noted that the budgets above are maximum expenditures that may be required. For example, if members of the Committee are based in Geneva this would reduce travel and per diem costs. The Committee may also decide to hold one or more of its meetings by videoconference thus also reducing costs. **Therefore, the Programme Coordinating Board is invited to agree a maximum budget for the Search Committee of USD 209,800.**

[Annex I follows]

ANNEX I

TERMS OF REFERENCE OF THE EXECUTIVE DIRECTOR OF UNAIDS

The Executive Director is the Chief Executive Officer of UNAIDS and has the overall responsibility for the day-to-day management of UNAIDS according to the ECOSOC resolution 1994/24 and the Memorandum of Understanding signed by the Executive Heads of the six original Cosponsors.

1. Leadership Role

The Executive Director must:

- Set the strategic direction and objectives of UNAIDS required to deliver on its vision and mission, and
- Exercise effective leadership in attaining the overall objectives of UNAIDS.

2. Roles as the Head of the UNAIDS Secretariat

The Executive Director provides effective leadership for the Secretariat and builds and sustains a high-performing, results-focused organization which delivers on its objectives in all areas. The Executive Director must:

- Oversee all financial, administrative and other functions of the Secretariat, including development of strategic plans and bi-annual Unified Budgets and Workplans (UBW) to be approved by the Programme Coordinating Board;
- Arrange and manage organization of the UNAIDS Secretariat to meet objectives and key results within the UBW;
- Implement staff employment, deployment and development in a transparent manner to build a high-performance team of highly motivated, mature and sensitive professionals in the UNAIDS Secretariat;
- Represent UNAIDS in international, regional and national fora;
- Coordinate and communicate PCB decisions and other important information within the Secretariat, the Board committees and all other stakeholders;
- Ensures effective planning and performance management, including:
 - Developing an annual strategic and operating plan and budget to be approved by the Board;
 - Implementing strategies and systems to manage and monitor core Secretariat business processes for the effective implementation of programmes;

- Identifying and tracking key performance targets to manage Secretariat performance and impact across all business areas; and
 - Analyzing and reporting on the impact of the portfolio to continuously improve contributions to combating the pandemics.
- Invests in organizational development, including:
- Appointment and management of the senior leadership team;
 - Designing and implementing appropriate Secretariat structures and functions; and
 - Building a team of motivated, mature and sensitive professionals through effective recruiting, deployment and development.

3. Accountability to the PCB

The Executive Director is accountable to the PCB and is responsible to implement its policies and decisions. The Executive Director will seek the guidance and advice of the members of the Bureau of the PCB in carrying out these responsibilities.

4. Relationships with External Stakeholders

The Executive Director devises an effective resource mobilization and fund-raising plan as agreed by the Board and ensures its implementation through:

- Building effective alliances and operational collaboration with public and private partners to contribute to a coordinated response to HIV/AIDS, at country and international levels;
- Actively participating in fund-raising activities within the framework of the UBW;
- ensuring effective organization and preparation for meetings with a broad range of partners;
- Enhancing the overall image and reputation of UNAIDS through effective communication with all external stakeholders; and
- Representing UNAIDS in meetings and events organized by various partners.