

**REPORT ON THE WORKING GROUP OF
THE PROGRAMME COORDINATING BOARD
TO STRENGTHEN THE PCB'S MONITORING
AND EVALUATION ROLE ON ZERO
TOLERANCE AGAINST HARASSMENT,
INCLUDING SEXUAL HARASSMENT;
BULLYING AND ABUSE OF POWER AT THE
UNAIDS SECRETARIAT**

Additional documents for this item: UNAIDS/PCB (44)19.6; UNAIDS/PCB (44)19.7

Action required at this meeting – the PCB Working Group is recommending the Programme Coordinating Board to:

See recommendations in paragraphs below:

9. In relation to the PCB, the Working Group recommends the PCB to:

Report of the Working Group

- a. *Take note* of the report of the PCB Working Group to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat;
- b. *Take note* of the enhanced update on strategic human resources management issues (see agenda item 4);
- c. *Request* the UNAIDS Executive Director to ensure that the Secretariat Ethics function conforms to the Standards recommended by the Joint Inspection Unit;
- d. *Request* the UNAIDS Executive Director to ensure the annual publication of a list of disciplinary cases and actions taken, in conformity with the relevant Joint Inspection Unit recommendation;

Management Action Plan

- e. *Welcome* the revised MAP and *support* the required efforts to implement it fully and *request* the UNAIDS Secretariat to report on implementation of the Management Action Plan through its annual update on strategic human resources management issues;

Evaluation Policy Paper

- f. *Approve* the UNAIDS Evaluation Policy and *request* that an evaluation plan is presented to the 45th meeting as well as annual reporting on the implementation of the evaluation plan.

Cost implications for implementation of decisions: none

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SUMMARY

1. The Programme Coordination Board (PCB) Working Group to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat was established by the unanimous decision of the PCB in December 2018 and was first convened on 15 March 2019. It takes forward work initiated in 2018 in response to serious concerns around the ways in which harassment, bullying and abuse of power have been handled in the UNAIDS Secretariat.
2. In consultation with various individuals and entities, the Working Group has prepared this paper in order to advise the PCB on the matters contained in its Terms of Reference. The Working Group has made a diligent effort in a period of only three months to address all elements of the Terms of Reference and a wide range of pertinent issues—and to arrive at a consensus on those matters. Nonetheless, given time constraints, the Working Group has not been able to conclude and achieve consensus on all possible issues.
3. In summary, the Working Group welcomes and supports the measures of the UNAIDS Secretariat, both planned and already implemented, to address the issues that fall within the Working Group's scope of work—in particular, the MAP and the enhanced reporting on human resources issues (which are also presented at this 44th session of the PCB). We commend the inclusive process, particularly in terms of liaising with staff and the UNAIDS Secretariat Staff Association (USSA).
4. As per the Terms of Reference, the Working Group has assessed the actions set out in the MAP against the recommendations in the Independent Expert Panel (IEP) report. This assessment is attached as Annex 3.
5. On balance, the Working Group concludes that the MAP responds to most of the IEP report recommendations, as well as those of the USSA report provided to the 43rd session of the PCB in December 2018. The Working Group is of the view that there has been a credible and sincere process to create a fully enabling workplace, free of harassment, including sexual harassment, bullying and abuse of power in the UNAIDS Secretariat. This paper notes recommendations that have not been addressed and provides a commentary. In some cases, such issues are not directly addressed because they are beyond the scope of the Working Group or have been already acted upon.
6. The Working Group report is structured around the tasks established in the Terms of Reference. For each, it either welcomes the work done, noting how it responds to the relevant recommendations, or it suggests follow-up actions, with recommendations directed at relevant actors. The following are the key recommendations in the report.
7. The Working Group welcomes and notes with appreciation:
 - the early discussions that have taken place between the UNAIDS Secretariat and WHO to establish a service-level agreement with regard to investigations;
 - the UNAIDS Secretariat's actions aimed at staying abreast of WHO plans for issuing a new policy covering sexual harassment in the third quarter of 2019;
 - the robust, evidence-based update to human resources management issues submitted to this PCB;
 - the suggestion in the update to human resources management issues that direct reporting by the ethics function to the PCB could be considered in the future;

- the inclusion of data on disciplinary cases, administrative sanctions and administrative review statistics in the update to human resources management issues;
 - the robust, revised MAP, including the item on ensuring that the UNAIDS ethics function complies with Joint Inspection Unit recommendations, including on reporting;
 - the well-developed UNAIDS Evaluation Policy established through a transparent and rigorous process; and
 - the collaborative working processes led by the UNAIDS Secretariat in delivering on all these matters.
8. In relation to the UNAIDS Secretariat, the Working Group:
- *Encourages* it to continue and conclude a service-level agreement with WHO/IOS with relation to investigations;
 - *Fully supports* UNAIDS' intention to publish a UNAIDS Secretariat-specific policy covering sexual harassment if timelines and alignment with WHO are impractical;
 - *Calls on* the UNAIDS Secretariat to build the capacity of the Global Advisory Council by ensuring (a) training for its members, (b) access to a secretariat support, and (c) access to professional legal advice, through existing legal resources available to UNAIDS; and
 - *Encourages* it to advocate with WHO/IOS for sufficient staffing of the investigations function, once target investigation timelines are established.
9. In relation to the PCB, the Working Group recommends the PCB to:

Report of the Working Group

- a. *Take note* of the report of the PCB Working Group to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat;
- b. *Take note* of the enhanced update on strategic human resources management issues (see agenda item 4);
- c. *Request* the UNAIDS Executive Director to ensure that the Secretariat Ethics function conforms to the Standards recommended by the Joint Inspection Unit;
- d. *Request* the UNAIDS Executive Director to ensure the annual publication of a list of disciplinary cases and actions taken, in conformity with the relevant Joint Inspection Unit recommendation;

Management Action Plan

- e. *Welcome* the revised MAP and *support* the required efforts to implement it fully and *request* the UNAIDS Secretariat to report on implementation of the Management Action Plan through its annual update on strategic human resources management issues;

Evaluation Policy Paper

- f. *Approve* the UNAIDS Evaluation Policy and *request* that an evaluation plan is presented to the 45th meeting as well as annual reporting on the implementation of the evaluation plan.
10. In relation to the World Health Organization, the Working Group:
 - *Recommends* that the Office of Internal Oversight Services conclude all outstanding UNAIDS Secretariat cases as soon as possible, to provide clarity and assurance for UNAIDS Secretariat staff.
11. In relation to the current Joint Inspection Unit study on the investigations function in the UN system, the Working Group:
 - *Recommends* that the Joint Inspection Unit study on the investigations function in the UN system review concluded cases, including sexual harassment cases, from both the ILOAT and UNAT tribunal systems to assess whether using the “balance of probabilities”¹ standard would have an impact on outcomes. Such data can inform further consideration of the IEP Report recommendation by the relevant entities; and
 - *Recommends* that the Joint Inspection Unit, in its current review of investigations functions, review its 2011 recommendation to establish a Joint UN Investigation Unit, taking into account the related concerns raised by the Chief Executives Board in 2012.

BACKGROUND

Working Group establishment and mandate

12. As detailed in the Terms of Reference of the Working Group, included in Annex 1 to this report:

“In 2018, significant attention was focused on the issue of harassment, particularly sexual harassment, across multiple sectors, including the private sector, government, international organizations including the Joint Programme on HIV/AIDS (UNAIDS). It was a priority for UNAIDS moving forward to take stock of what has worked and what has not worked to prevent and address harassment, including sexual harassment, bullying and abuse of power in the workplace, and identifies best practices and concrete steps for responding better to harassment.”
13. At the 43th meeting of the UNAIDS PCB, which took place from 11–13 December 2018, the PCB stated that, among other points, it:
 - “*Commits* to zero tolerance against harassment, including sexual harassment, bullying and abuse of power to ensure the highest standards in order to create an exemplary workplace in the UNAIDS Secretariat;
 - *Welcomes* the earlier request of the Executive Director to establish the Independent Expert Panel (IEP) on prevention of and response to harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat;
 - *Recalls* that the PCB endorsed the steps taken by the PCB Bureau in response to this request and agreed that the priority should be for the IEP to be enabled and empowered to provide an authoritative review and a comprehensive set of recommendations pertaining to harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat;
 - *Emphasizes* that there is consensus on the need for action to address harassment, including sexual harassment, bullying and abuse of power; and

- *Recognizes with remorse the negative impact of harassment, including sexual harassment, bullying and abuse of power on the staff of the UNAIDS Secretariat and their ability to deliver on the critical mandate of the Joint Programme;*"²
14. Further, the PCB took Decision 5.14, noted as follows:
"Decides to establish a Working Group of the PCB to oversee the immediate implementation of the management response and to further review the conclusions and recommendations contained in the IEP report, and the management response, proposing options to the next PCB meeting, for strengthening the PCB's monitoring and evaluation role on the UNAIDS Secretariat with the view of ensuring zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat."³
 15. On the basis of this decision, the PCB defined the Terms of Reference (Annex 1), of the Working Group, which guided the activities of the Working Group, all of which are reflected in the report, prepared by the Working Group to inform the PCB on the fulfillment of its mandate.

Working Group membership and ways of working

16. As decided by the PCB Bureau in the Terms of Reference (Annex 1), the Working Group comprises 11 members. They include five members nominated by Member States, two civil society representatives nominated by the PCB nongovernmental constituencies, two Cosponsor representatives and two representatives of UNAIDS Secretariat (i.e. the Director, Human Resources Management and the Regional Director, Eastern Europe and Central Asia). The full Working Group membership is listed in Annex 2.
17. On 15 March 2019, the Working Group was convened and began its work. At its first meeting, the Working Group elected a Chair and agreed to take decisions on a consensus basis. The Working Group has made significant effort to achieve consensus on all elements of this paper. Consensus was not achieved on only three items. This paper includes only those points on which consensus was reached.
18. As of 31 May 2019, the Working Group had met nine times, twice for full-day, face-to-face meetings. The other meetings were "virtual" ones. All notes of Working Group meetings are published on the committee page of the PCB website. In addition to meetings of the full Working Group, the Chair met with the PCB Bureau on 7 May 2019, to brief the Bureau on progress, on the intended structure of the report, and to seek Bureau members' views on specific matters. The Working Group and the Chair have also consulted with a wide range of UN system officials and reviewed many additional relevant documents.
19. The Working Group has made diligent efforts over the course of only three months to address all elements of the Terms of Reference and the wide range of issues pertinent to that document. Nonetheless, given time constraints, the Working Group has not been able to fully review all relevant issues.

Relation to UNAIDS Secretariat

20. In addition to having two Working Group members representing the UNAIDS Secretariat, the Working Group has been in regular contact throughout with UNAIDS Secretariat colleagues around various issues pertinent to the Terms of Reference, in particular the MAP, the Human Resources Report and the draft Evaluation Policy. It has

also consulted with the UNAIDS Secretariat Staff Association. On logistics and procedural guidance, the Working Group has been fully supported throughout by the UNAIDS Secretariat Governance team.

Report structure

21. This report is structured primarily around the five items listed in the Scope of Work, as defined by the PCB Bureau in the Working Group's Terms of Reference. The report also addresses additional questions which have emerged during the course of the Working Group's work. Each section includes:
- the context for the item;
 - related actions taken by the Working Group;
 - discussion, including reference to the decisions or products of other interagency working groups; and
 - specific recommendations to the PCB and other bodies, as relevant.

Independent Expert Panel report of December 2018

22. As noted, the Working Group was established in follow up to the 2018 IEP report on harassment, including sexual harassment, bullying and abuse of power in the UNAIDS Secretariat. Items one and two of the Working Group's Terms of Reference specifically task the group with reviewing the IEP Report recommendations in relation to other documents and with commenting, generating options or making recommendations to the PCB.
23. The Working Group recognizes that PCB members hold different views about the IEP report, as expressed at the December 2018 and March 2019 sessions of the PCB. Nonetheless, the report was independent and has played an important role in catalyzing actions to address harassment, including sexual harassment, bullying and abuse of power. In accordance with its Terms of Reference, the Working Group has sought to review the recommendations and conclusions of the IEP report, particularly in relation to the MAP.

Statement on all forms of harassment

24. As shared in its oral statement to the Special Session of the PCB in March 2019, Working Group members reaffirm that no case of harassment, sexual harassment, bullying or abuse of authority in the workplace is acceptable. The Working Group commends both the UNAIDS Secretariat's goal to eliminate harassment in its workplace and the actions taken to date.
25. Working Group members aim to support UNAIDS to realize its zero-tolerance policy on harassment, to create a UNAIDS Secretariat which delivers its commitment to dignity and respect at work, and to ensure a strong Secretariat that will take forward the world's collective work to end AIDS as a public health threat.
26. Working Group members have appreciated this opportunity to contribute to these goals and entrust this report to the UNAIDS PCB for its consideration.

INDEPENDENT EXPERT PANEL REPORT, UNAIDS SECRETARIAT MANAGEMENT RESPONSE AND MANAGEMENT ACTION PLAN—PARTS I AND II OF THE TERMS OF REFERENCE

“Review findings of IEP Report, UNAIDS Secretariat management response as well as reports to the PCB from WHO/IOS and the USSA”

“Review and analyse the UNAIDS Secretariat MAP as a response to the IEP report and prior reports to the PCB from WHO/IOS and USSA”

Context

27. The Working Group has combined its response to Parts I and II of its Terms of Reference, because the MAP supersedes the Management Response.
28. In February 2018, in response to serious concerns about harassment, including sexual harassment, in the UNAIDS Secretariat, as well as its handling of the matters and related media coverage, the UNAIDS Executive Director called for measures to strengthen the culture of zero tolerance for harassment, abuse and unethical behaviour at UNAIDS.
29. The response included a 5-Point Plan to address the issues of concern, as well a request for the PCB to establish an Independent Expert Panel. The plans for the Panel were presented to and endorsed at the June 2018 session of the PCB, where the PCB restated its zero tolerance for any form of harassment, including sexual harassment, bullying and abuse of power.
30. The Panel was created in July 2018. In September 2018, the 5-Point Plan was expanded to a 5-Plus-Point Plan, which included the convening and training of the network of Dignity-at-Work advisors. In December 2018, the IEP presented a highly critical report to the PCB. The UNAIDS Secretariat presented its Management Response to the IEP report. It also developed a MAP (MAP), which it presented to the PCB at the Special Session in March 2019.
31. The MAP and its priorities supersede the December 2018 Management Response to the IEP Report. Therefore, having been convened in March 2019, the Working Group's focus is on the MAP rather than on the Management Response, as is the remainder of this section of the paper.
32. As noted above, the MAP articulates the UNAIDS Secretariat's ambitious agenda for a healthy, equitable and enabling workplace for all UNAIDS staff. As noted in the UN Secretariat's update on prevention of and response to harassment, including sexual harassment; bullying and abuse of power at UNAIDS Secretariat, at the March 2019 Special Session of the PCB:
“The purpose of the Action Plan is to enhance a positive organizational culture, encourage desired behaviours and increase the awareness of managers and staff of their accountability, including by promoting systemic responses to substandard or unacceptable behaviour and performance [...] UNAIDS senior management is committed to achieve results which will strengthen core systems for internal justice, staff wellbeing, diversity and inclusion, and which will be underpinned by a determination to eliminate harassment and abuse of authority.”⁴

Actions taken

33. The Working Group conducted a document review of the items in the Terms of Reference, particularly the IEP report, the UNAIDS Management Response and the MAP as well as prior reports to the PCB from WHO/IOS and the UNAIDS Secretariat Staff Association.
34. In addition to a review of the MAP document, the Working Group has met four times (twice in person, twice "virtually") with UNAIDS Secretariat colleagues leading the MAP implementation. During these constructive engagements, the UNAIDS Secretariat has been responsive to Working Group members' comments across various versions of the MAP. The current MAP therefore also reflects several inputs from the Working Group.
35. In addition, at its first "virtual" meeting, the Working Group reviewed a mapping of IEP Report recommendations against actions proposed in the MAP, as well as against the products or processes of interagency discussions, a version of which is attached in Annex 3. Furthermore, the Chair of the Working Group has reviewed relevant good practice and other guidance documents issued by the UN system, including UNAIDS Cosponsoring organizations.

Discussion

36. As noted in the ILO/UN Women Handbook on Addressing Violence and Harassment against Women in the World of Work:
"Research shows that one of the most important predictors of sexual harassment is the organizational culture. A focus on policies and procedures to address compliance with the law and avoid litigation largely fails to reduce sexual harassment, whereas significant changes in organizational culture can help to promote a workplace climate and culture of civility and respect. Suggested changes include creating diverse, inclusive, and respectful working environments, improving transparency and accountability relating to policies, fair investigative and disciplinary procedures; changing organizational culture, so that it is not based on hierarchical and dependent relationships between staff; and promoting a strong and diverse leadership" (Johnson et al, 2018:61).
37. That document also notes: "The cultural imprint is strong; people do what the culture asks them to do. Culture drives outcomes across the organizational scorecard."⁵ While systems and processes are important, culture can be key.
38. The UNAIDS Secretariat MAP, being a "multimodal" medium-term approach to preventing and eliminating all forms of harassment, including sexual harassment, bullying and abuse of power, aims to impact the Secretariat at the level of culture, as well as to strengthen the systems and processes for internal justice.
39. Annex 3 maps the IEP report recommendations against the MAP, as well as against existing UN system or other guidance or good practice. Annex 3 also provides the Working Group's response on each of the recommendations and actions, making it an integral part of the Working Group's response to its Terms of Reference.
40. On balance, the Working Group concludes that the MAP responds to most of the IEP report recommendations, as well as to those of the UNAIDS Secretariat Staff Association report presented to the 43rd session of the PCB in December 2018.

41. The Working Group is of the view that there has been a credible and sincere process to create a fully enabling workplace, free of harassment, including sexual harassment, bullying and abuse of power in the UNAIDS Secretariat. Where recommendations have not been addressed, this paper notes them and provides commentary. In some cases, such issues are not directly addressed because they are beyond the scope of this Working Group or have been already acted upon.
42. As noted in the Working Group's oral statement to the Special Session of the PCB on 28 March 2019, if implemented fully and properly, the MAP can be expected to address the majority of the recommendations of the IEP report, as well as concerns and interests of the UNAIDS Secretariat Staff Association. Maintaining momentum is important, so that UNAIDS Secretariat staff experience tangible improvements in a timely manner. This will help build trust in the relevant organizational systems and, over time, foster the desired enabling and empowered culture.
43. In addition, independent of UNAIDS and unrelated to the MAP, several of the IEP report's recommendations are already being considered or have been addressed through UN system interagency working groups related to sexual harassment. This reflects the fact that these issues are not unique to the UNAIDS Secretariat⁶ and that the IEP report's recommendations include approaches that are widely considered to be good practice, as validated by UN system experts through processes unrelated to the IEP report and the UNAIDS Secretariat responses. Further details appear in Annex 3.

Investigations—overall

44. Investigations and administration of justice are currently of notable concern to the UNAIDS Secretariat Staff Association. For such matters, the UNAIDS Secretariat uses the services of the World Health Organization (WHO) Office of Internal Oversight Services (IOS). Therefore investigations and administration of justice processes are generally outside the UNAIDS Secretariat's direct control.
45. At the same time, there has been significant ongoing interagency work since 2017 to address sexual harassment in the UN system. Once implemented, this work will strengthen the investigation processes that apply to the UNAIDS Secretariat.
46. Annex 5 lists the expected outputs of the Chief Executives Board for Coordination Task Force Sub-Group on Strengthening Investigatory Capacity and Improving Investigations of Sexual Harassment within the Organizations of the UN System, which was established in late 2018, with deliverables expected during 2019. The work includes a focus on sourcing and selecting investigators qualified in relation to investigating sexual harassment, investigator training on interviewing techniques for sexual harassment cases, several forms of guidance, and an interagency agreement on the pooling of resources to investigate sexual harassment. Once complete and implemented, these resources and agreements will benefit WHO/IOS and, consequently, the UNAIDS Secretariat. That noted, as with all complex change efforts in large organizations, it will require some time before the practical effects of this work are felt by UNAIDS Secretariat staff. If this work is delayed, it will be important to find other ways to ensure that UNAIDS Secretariat staff benefit from tangible and sincere actions to address current weaknesses.
47. Among the many MAP priorities, the Working Group encourages the UNAIDS Secretariat to focus on the following priorities, since they rest within the Secretariat's relative control and can address requests from the USSA, as well as certain recommendations of the IEP Report, in a timely manner.

- Pursue with the WHO IOS a **service-level agreement with regard to investigations**, which could, among other things, specify target timeframes for the completion of investigations. As shown in Annex 5 (item 1), establishing investigation timelines is in line with both interagency discussions and the ILO/UN Women Handbook on addressing violence and harassment against women in the world of work.⁷ Specifying and meeting reduced timeframes for investigation would likely improve trust in the system, as well as delivering timely resolutions. The Working Group encourages the UNAIDS Secretariat to continue to request timely resolution of all pending cases. The Working Group welcomes the early discussions that have already taken place between the UNAIDS Secretariat and WHO on a service-level agreement and encourages further discussions.
- Ensure that **the policy covering sexual harassment is updated** in a timely manner. WHO reports that its new policy, which will apply to UNAIDS, will be finalized in the third quarter of 2019 and will be compliant with all terms established in the UN System Model Policy on Sexual Harassment,⁸ adopted by the UN System Chief Executives Board for Coordination in October 2018. This alone will address certain IEP report recommendations, as noted in detail in Annex 3. In particular, this will remove any stipulated timeframe for reporting sexual harassment. It will specify that the channel (formal/informal) used to lodge a complaint and seek support is at the discretion of the person making the complaint. It will also acknowledge the power dynamics that can place women and persons of vulnerable sexual orientation and gender identities being at particular risk for sexual harassment. The Working Group welcomes the UNAIDS Secretariat's actions to stay abreast of WHO plans for issuing a new policy in the third quarter of 2019 and fully supports UNAIDS' intention to publish a UNAIDS Secretariat-specific policy if timelines and alignment with WHO are impractical.
- **Ensure that the UNAIDS Global Advisory Committee, when considering future actions on harassment complaints, has access to legal advice.** This body has an important advisory and coordinating role on harassment complaints, as well as on preventing harassment, insofar as it comments on the adequacy of an investigation and recommends an appropriate course of action⁹ to the Executive Director. However, to date this three-member body (with members recommended by the Executive Director, by Human Resources and by the USSA), has neither specific training nor formal access to legal or Secretariat support. The Working Group calls on the UNAIDS Secretariat to build the capacity of the Global Advisory Council by ensuring (a) training for its members, (b) access to Secretariat support, and (c) access to professional legal advice, through the existing legal resources available to UNAIDS.
- **Advocate for sufficient staffing of the investigations function.** An interagency review has demonstrated that the ratio of investigators to cases varies widely across UN system entities, some of which are staffed at levels that make it difficult to complete investigations in a timely manner. As reported by the Director of the Office of Internal Oversight Services (IOS) to the March 2019 Special Session of the PCB, an external independent assessment of WHO/IOS in 2017 found that "the functioning and resourcing of the IOS complied with international standards applied in UN system." He also reported that IOS "continued to strengthen its internal capacity."¹⁰ The UNAIDS Secretariat should review this matter with WHO/IOS to ensure capacity exists to meet investigation timelines.

Investigations: standard of proof

48. "Standard of proof" is a legal term used to indicate "the level of certainty and the degree of evidence necessary to establish proof in a criminal or civil proceeding." In addition, it should be noted that:
"Preponderance of the evidence is the least demanding standard of proof and is used for most civil actions and some criminal defenses (as insanity). Clear and convincing proof is a more demanding standard of proof and is used in certain civil actions (as a civil fraud suit). Proof beyond a reasonable doubt is the most demanding standard and the one that must be met for a criminal conviction."¹¹
49. Currently the standard of proof that applies to the ILO Administrative Tribunal (ILOAT), and therefore to cases in the UNAIDS Secretariat is "proof beyond a reasonable doubt" (while "clear and convincing proof" is used in the UN Administrative Tribunal, or UNAT, which covers other sections of the UN system). The IEP Report recommended that "the standard of proof is on a balance of probability." The Working Group understands that studies comparing outcomes between tribunals using "proof beyond a reasonable doubt" and those using "clear and convincing evidence" have indicated that case outcomes were not affected by the standards of proof used, especially insofar as they apply to cases of sexual harassment .
50. The Working Group is not aware of any similar comparative analysis of outcomes of UN System tribunal cases (i.e. compared with cases using the "balance of probabilities" standard of proof). The Working Group is aware that UN organizations intentionally maintain a higher standard of proof for a variety of reasons, including the perceived gravity of the consequence of termination of employment, an available disciplinary measure. Nonetheless, the Working Group recommends that the current Joint Investigations Unit study on the investigations function in the UN system review concluded cases, including sexual harassment cases, from both the ILOAT and UNAT systems to assess whether using the "balance of probabilities"¹² standard would have an impact on outcomes. Such data can inform further consideration of the IEP report recommendation by the relevant entities.

Investigations: establishment of a Joint UN System Investigations function

51. The IEP report recommended:
"Establish an external independent investigation, disciplinary and redressal system: The Panel recommends establishing an independent body external to UNAIDS where complaints of harassment including sexual harassment, bullying, and abuse of power in all its forms are first received. Such an external body should have independence from UNAIDS and the authority to establish a safe, confidential means of fact-finding, investigation and conciliation. It should have the power to access relevant documents and witnesses and to impose appropriate sanctions."¹³
52. Similarly, in its 2011 report "The investigations function in the United Nations system," the Joint Inspection Unit stated the following:
"Of particular note is the recommendation addressed to the UN Secretary-General requesting that he establish an interagency task force under the auspices of CEB that will develop options for the creation of a single UN system Investigation Unit by the end of 2013 for presentation to legislative bodies. This ultimate consolidation of the investigation function into a sole UN entity would benefit small agencies without investigative capacity, harmonize business practices, result in common standards and procedures in conducting investigations, resolve independence issues, result in hiring only professional investigators, allow staff promotion opportunities as well as address

fragmentation issues, etc. The Inspectors recognize that this will be a difficult and very complex undertaking but are confident that, if addressed positively by all parties, attendant problems can be overcome and the benefits to the organizations and their staff will be significant."¹⁴

53. The Working Group is aware of the Chief Executives Board's response to that recommendation,¹⁵ which cites reasons for not enacting it. There were two main concerns. The first was the scale and complexity of the task, which includes gaining agreement on the goal, as well as the multiple statutory changes needed within each UN entity to establish a joint function. The second concern was the likely challenge of creating a joint investigations function that would be effective across all UN system entities despite their different rules and varying degrees of specialization.
54. Nonetheless, the UNAIDS Secretariat MAP 2019 includes:
"Examine options for the establishment of an external and independent investigation, disciplinary and redressal system, and work with key stakeholders, including survivors, and other interested UN entities to pursue that goal. Raise these issues and build support in UN system-wide management platforms (Human Resources Network, High-Level Committee on Management, Chief Executives Board)."¹⁶
55. Given the increased focus on sexual harassment, the related increase in reporting and the significant work undertaken to strengthen the investigations functions of the UN system to respond, this may be an appropriate moment to revisit the idea of a Joint UN Inspection Unit. Accordingly, and since this IEP recommendation is beyond the control of the PCB or the UNAIDS Secretariat, the Working Group recommends that the Joint Inspection Unit again consider this proposal within its current review of UN system investigations functions.

Recommendations to the PCB

56. To reiterate, the MAP encompasses the core of the UNAIDS Secretariat interventions to eliminate all forms of harassment from its workplace and to create an enabling environment. As with any culture change effort, it will require sustained effort. Therefore, the Working Group invites the PCB to welcome the MAP and support the required efforts to implement it fully.

Recommendation to the World Health Organization

57. Recommends that the Office of Internal Oversight Services conclude all outstanding UNAIDS Secretariat cases as soon as possible, to provide clarity and assurance for UNAIDS Secretariat staff.

Recommendations to the Joint Inspection Unit

58. The Working Group recommends that the current Joint Inspection Unit study on the investigations function in the UN system review concluded cases from both the ILOAT and UNAT tribunal systems to assess whether using the "balance of probabilities" standard would have an impact on outcomes, particularly with relation to sexual harassment cases.
59. The Working Group also recommends that the Joint Inspection Unit, in its current review of investigations functions, review its 2011 recommendation and takes into account the related concerns raised by the Chief Executives Board in 2012.

STRENGTHENING SYSTEMS TO ADDRESS HARASSMENT AND ENHANCING REPORTING—PARTS III AND IV OF THE TERMS OF REFERENCE

“Provide recommendations to the Board to more effectively monitor and guide the work of UNAIDS Secretariat in strengthening and further institutionalizing existing systems to tackle harassment, including sexual harassment, bullying and abuse of authority at the UNAIDS Secretariat.”

“Recommend options for enhanced reporting on strategic human resources management issues to the Programme Coordinating Board including through strengthening the coherence of existing reporting systems (UBRAF performance and financial reporting and the update on strategic human resources management issues as well as internal and external auditor reports)”

Context

60. Items 3 and 4 of the Working Group's Terms of Reference are closely related and this report therefore addresses together.
61. Historically, information about issues related to harassment, including sexual harassment, bullying and abuse of power in the UNAIDS Secretariat has been made available to the PCB through a number of different sources, including strategic human resources updates, audit reports, and reports and presentations by the UNAIDS Secretariat Staff Association. The Working Group was tasked with recommending improvements to this approach. As part of this this item the Working Group also considered reporting to the PCB from the Ethics Office and on disciplinary cases and sanctions.

Actions taken

62. In addition to reviewing a range of past reporting documents, the UNAIDS Secretariat presented to the Working Group the enhanced approach to human resources reporting during a "virtual" meeting on 23 April 2019. It also shared the draft human resources management report with the Working Group for review and discussion before submitting it to the PCB. The Working Group Chair consulted with the UNAIDS Secretariat Ethics Office and with UNAIDS Cosponsors on specific reporting practices, reviewed relevant Joint Inspection Unit recommendations.

Discussion

63. Working Group members welcomed and appreciated the enhanced, comprehensive and transparent human resources reporting to this PCB meeting, including data against which trends can be tracked over time. During discussions, the Working Group made several suggestions to further strengthen the reporting. It notes with appreciation that the final report reflects those requests.
64. On the specific matter of the Ethics Office, the Working Group notes that the 2010 Joint Inspection Unit report on Ethics in the UN System set out recommended standards for the functioning of Ethics Offices across the UN system. Key among them are transparency in recruitment; professional background in ethics for ethics staff; term limits; reporting directly to executive head; and having both formal and informal access to the legislative body.

65. A section of that report on reporting arrangements states:
“The head of the Ethics Office must also have both formal and informal access to the legislative bodies [...] to ensure the independence of the function is not circumscribed by the executive head. Formal access would be through the annual report of the ethics office, or a summary thereof, which must be submitted to the legislative body without any changes therein by the executive head, whose comments, if any, should be submitted separately. The head of the ethics office must also have the right to approach the legislative body informally when circumstances so dictate.”¹⁷
66. While the recommendations of the Joint Inspection Unit are not legally binding for UN, they do provide system-wide benchmarking on relevant issues against which organizations across the UN system can be measured. Out of 11 Cosponsors, 9 have Ethics Offices that provide independent annual reports directly to their governing bodies, while the UNAIDS Secretariat currently does not have such a structure.
67. Since 2013, a strategic human resources update has been provided to the PCB. In 2016 and 2017 the updates included one paragraph on ethics-related learning activities. In 2018, the update included a longer section on management actions related to ethics issues. However, the standard for reporting on ethics within UN organizations requires that annual, comprehensive, independent reports are submitted directly to the relevant governing body. Therefore, including ethics in the human resources update is not standard practice. The Working Group notes with appreciation that the update to human resources management issues to this PCB observes that that, since ethics is a function independent from human resources, consideration could be given to direct reporting on ethics to the PCB in the future.
68. Annex 4 lists the full set of Joint Inspection Unit recommendations for consideration by legislative organs on the ethics function in UN entities. They include a recommendation that “legislative bodies should direct their respective executive heads to ensure that the head of the ethics office has informal access to the legislative bodies which is enshrined in writing.”¹⁸ The Working Group strongly encourages the PCB to review and consider these Joint Inspection Unit recommendations in full, since they are intended to ensure the independence of the ethics function as one of many components of an organizational accountability framework.
69. Similarly, it is common practice for organizations to periodically publish reports of disciplinary cases, including the nature of each case and sanctions taken by the administration against the involved staff members. All 11 Cosponsors compile such reports and make them available to all staff. Eight Cosponsors proactively provide the reports to governing bodies and 6 Cosponsors publish the reports on their websites. In further support of this practice, the Joint Inspection Unit recommends that, “by the end of 2019, executive heads of UN system organizations publicly post an annual report, with all due consideration to confidentiality, on misconduct/wrongdoing and retaliation cases, specifically including the allegations, findings and outcomes, including administrative actions taken.”¹⁹
70. This Joint Inspection Unit recommendation supports the development of confidence in reporting systems, functions and processes, through increasing transparency about cases and outcomes, thereby indirectly encouraging further reporting of wrongdoing.
71. The Working Group therefore notes with appreciation that the update to human resources management issues to this PCB includes both disciplinary cases and actions, as well as administrative review statistics, which are provided proactively and

transparently. The Working Group also welcomes the MAP item related to ensuring that the ethics function in UNAIDS meets the standards set out by the Joint Inspection Unit.

Recommendations to the PCB

72. Based on the above, the Working Group welcomes:
- the robust, evidence-based update to human resources management issues submitted to this PCB;
 - the suggestion in the update to human resources management issues that direct reporting by the ethics function to the PCB could be considered in future years;
 - the inclusion of data on disciplinary cases, administrative sanctions and administrative review statistics in the human resources reporting; and
 - the MAP item to ensure that the UNAIDS ethics function complies with Joint Inspection Unit recommendations, including on reporting.
73. Further, the Working Group recommends that the PCB:
- take note of the enhanced update to human resources management issues;
 - request the UNAIDS Executive Director to ensure that the Secretariat ethics function conforms to the Standards recommended by the Joint Inspection Unit; and
 - request the UNAIDS Executive Director to ensure the annual publication of a list of disciplinary cases as well as actions taken, in conformity with the relevant Joint Inspection Unit recommendation.

EVALUATION—PART V OF THE TERMS OF REFERENCE

“The Working Group should also consider and discuss the role and importance of an independent evaluation function in efforts to strengthen organizational change, accountability and transparency more broadly. The views of the Working Group will be reflected in UNAIDS revised evaluation policy to be presented to the 44th PCB meeting.”

Context

74. At the 43rd PCB session in December 2018, UNAIDS Executive Director proposed creating a UNAIDS evaluation function which would report directly to the Board. A number of PCB members have emphasized the importance of an effective and independent evaluation function for UNAIDS' efforts to strengthen accountability, transparency and organizational learning. The need for UNAIDS to strengthen its evaluation function has also been highlighted by MOPAN, the United Kingdom's Department for International Development, and other external reviewers of UNAIDS. The need for an independent evaluation function has also been emphasized by the Executive Heads of UNAIDS Cosponsors, most recently at the meeting of the Committee of Cosponsoring Organizations in November 2018.
75. The Bureau discussed the importance of the evaluation function and agreed that this should be considered and discussed within the scope of work of the PCB Working Group as, in addition to inform the work of the Joint Programme, it will contribute to strengthen the long-term oversight role of the PCB.
76. The revised UNAIDS Evaluation Policy is to be considered by the PCB at its 44th session in June 2019.

Actions taken

77. In relation to this item of its scope of work, Working Group members reviewed the draft UNAIDS Evaluation Policy and met twice with the UNAIDS Secretariat Head of Evaluation. Four members also attended the full-day multistakeholder consultation on evaluation on 29 March 2019. The Working Group reviewed three issues in detail, provided comments to the UNAIDS Secretariat which were integrated, and developed consensus around these issues.

Discussion

78. The Working Group commends the UNAIDS Secretariat—and all engaged stakeholders—on the transparent and rigorous process used to elaborate this well-developed policy. The Working Group appreciates in particular that the policy: is based on experience of other UN system entities; follows the UN Evaluation Group norms and standards for evaluation; has been developed through a responsive process of consultation with a wide range of UNAIDS stakeholders; and, has been reviewed by the heads of evaluation of the UNAIDS Cosponsoring organizations before being presented to the PCB.
79. As well, the Working Group notes the elements of the policy that establish and reinforce the independence of the evaluation function—a necessity for its credibility and effectiveness as a tool for accountability, transparency and organizational learning. Among many others, these include:
- hiring a Director of Evaluation with professional evaluation expertise and competence for a 5-year non-renewable term, with a proviso barring further employment in the UNAIDS Secretariat;
 - ensuring the Director of Evaluation has “full discretion to directly submit evaluation reports to the appropriate level of decision-making” and to “directly commission, produce, publish and disseminate duly quality-assured evaluation reports in the public domain without undue influence by any party.”²⁰
80. In relation to the general focus of this Working Group, the UNAIDS Evaluation Policy covers the Joint Programme as a whole, as well as the UNAIDS Secretariat. As such, in addition to other means (e.g. global staff surveys, human resources and ethics reporting), periodic evaluation could be a means of measuring progress on the achievement of the MAP objectives and of the desired culture change at the UNAIDS Secretariat in general.
81. The Working Group would like to highlight three key issues around which it has established consensus.

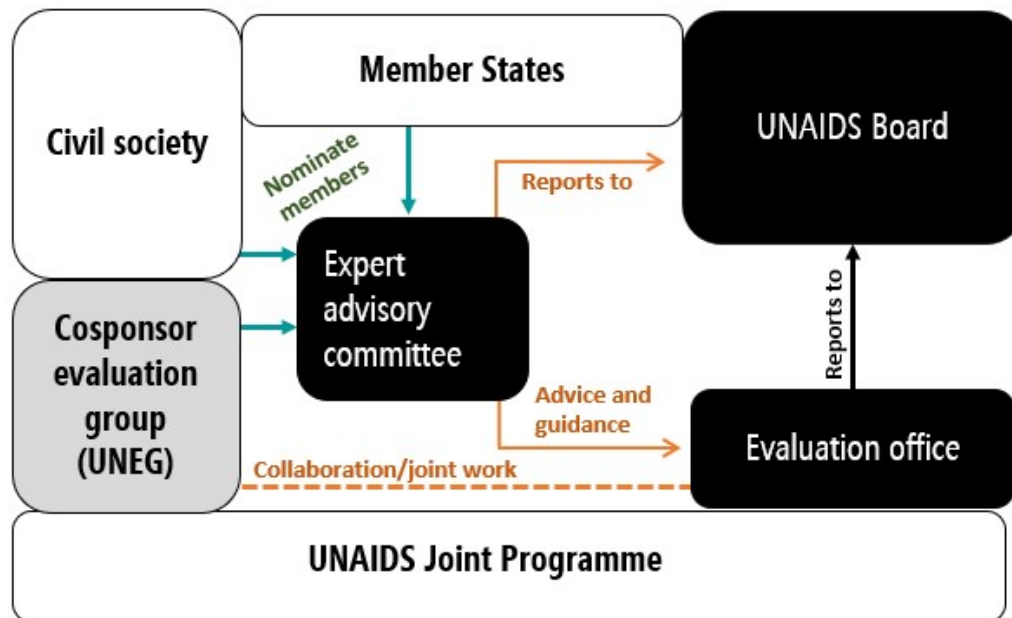
Level of investment in evaluation

82. Paragraph 65 of the draft UNAIDS Evaluation Policy specifies that “1% of UNAIDS total annual expenditures, representing core and non-core UBRAF resources mobilized by UNAIDS Secretariat, shall be allocated for evaluation.” The Working Group supports this provision for two main reasons. It is in line with the level of investment in evaluation recommended by the Joint Inspection Unit (JIU/REP/2014/6), which is 0.5% to 3% of organizational expenditures. Further, this percentage is expected to result in a budget of approximately USD 2 million per year (to cover evaluations to be conducted, activities required to strengthen evaluation culture and Evaluation Office staff costs). This is foreseen to be sufficient to conduct meaningful work, keeping mind that UNAIDS

Cosponsor evaluation units will also contribute evaluation capacity to this effort, and that system-wide joint evaluations will, where possible, be cost-shared with Cosponsors.

Evaluation architecture

83. The Working Group reviewed and discussed the proposed evaluation architecture, as noted below and outlined on page 15 of the Evaluation Policy.



84. The Working Group supports this architecture for the following reasons. A sub-set of the UN system Evaluation Group (UNEG), here called the Cosponsor Evaluation Group and comprised of representatives of the Cosponsor evaluation offices, is established to “leverage Cosponsor capacity and resources on evaluation and share knowledge and experience” (paragraph 61). The Expert Advisory Committee, comprised of member states, civil society and Cosponsor organizations, “provides guidance and advice on the UNAIDS evaluation function. It is an independent, external body which reports to the Board. The Committee advises the Director of Evaluation and the Executive Director on the implementation of UNAIDS evaluation policy and the development and implementation of UNAIDS evaluation plan to enhance use of evaluations and organizational learning, and ensure alignment with UNAIDS Strategy, the UBRAF as well as UNEG norms and standards for evaluation. A summary of the work and recommendations of the Committee is presented annually to the Board.” (paragraph 57)

Expert Advisory Committee membership

85. Paragraph 58 of the Evaluation Policy reads: “The Committee shall consist of up to seven technically strong members who are nominated by Member States (5), the PCB NGO delegation (1) and Cosponsor Evaluation Group (1).” The Working Group has reviewed and discussed this.
86. This recommended membership is in keeping with a decision from the 27th Meeting of the UNAIDS PCB, Geneva, Switzerland 6-8 December 2010. This decision, related to agenda item 2.3 on aspects of governance reads, in part, that the Board “Agrees that

emphasis should be placed on a small composition for subcommittees i.e. one Member State representative per geographical region, one PCB NGO, one Cosponsor and one representative from the UNAIDS Secretariat.”

Recommendations to the PCB

87. Given the above considerations, and the consensus developed around them, the Working Group recommends that the PCB approve the UNAIDS Evaluation Policy and then support the UNAIDS Secretariat in its full implementation over time.

OTHER MATTERS HAVING ARISEN

Future of this Working Group

Context

88. Page 6 of the Working Group’s Terms of Reference, item 3 of Deliverables, notes that “Given the potential need to carry work forward to the 45th PCB, a decision will need to be made during the 44th meeting regarding any future action taken by the Working Group.”²¹

Action taken

89. A meeting between the Chair of this PCB Working Group and the PCB Bureau on 7 May 2019 concluded that, “some members of the PCB Bureau advised that the Working Group should also present in its report and recommendations on a rationale for the Working Group to continue its work beyond the 44th PCB meeting. This would also include a new timeline and scope of work.”²²

Discussion

90. The Working Group, as an ad-hoc body established by the PCB, does not have the authority to recommend its own continuation.
91. Nonetheless, the Working Group foresees value in establishing within the PCB a dedicated capacity to continue to monitor and guide the implementation of the MAP, Human Resources practices (as shared in strategic HR updates) and other measures related to the elimination of harassment, sexual harassment, bullying and abuse of power in the UNAIDS Secretariat.
92. Many PCB members have HIV, health, or development-related expertise – but not necessarily depth in human resources, organizational culture change or other fields that more directly relate to the UNAIDS Secretariat goal to establish a fully enabling environment and to eliminate all forms of harassment in its workplace.
93. Establishing a specific capacity, therefore, would ensure a technically competent mechanism to receive reports, review them and guide the larger PCB on these issues, improving its ability, in turn, to monitor and guide the UNAIDS Secretariat.
94. Therefore, while not formulated as a formal recommendation, the PCB may consider to request the PCB Bureau to develop a Terms of Reference for this work after the PCB

meeting and seeking agreement on these through an inter-sessional decision making process as set out in the Modus Operandi.

CONCLUSION

95. On the basis of the above, the Working Group appreciates the actions taken to date by the UNAIDS Secretariat—and the many still planned – to eliminate all forms of harassment from its workplace and to develop a fully enabling workplace environment. The MAP offers a promising and comprehensive set of actions that need sufficient and sustained effort over time. When implemented fully and effectively, they should function as effective tools in helping the Secretariat to create an inclusive, respectful and enabling environment, free of harassment, including sexual harassment, bullying and abuse of power.
96. In addition, strengthening the scope of human resources reporting, adjusting the Ethics Office arrangements to conform to the recommendations outlined by the Joint Inspection Unit, including to ensure direct access of the Senior Ethics Advisor to the PCB, and making public information on disciplinary cases and related sanctions, will improve the UNAIDS Secretariat's transparency on issues of concern to this review, helping build, over time, trust in its systems.
97. As outlined in the summary, on the basis of its analysis and discussions, the Working Group recommends the following to the PCB for endorsement:

Report of the Working Group

- a. *Take note* of the report of the PCB Working Group to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat;
- b. *Take note* of the enhanced update on strategic human resources management issues (see agenda item 4);
- c. *Request* the UNAIDS Executive Director to ensure that the Secretariat Ethics function conforms to the Standards recommended by the Joint Inspection Unit;
- d. *Request* the UNAIDS Executive Director to ensure the annual publication of a list of disciplinary cases and actions taken, in conformity with the relevant Joint Inspection Unit recommendation;

Management Action Plan

- e. *Welcome* the revised MAP and *support* the required efforts to implement it fully and *request* the UNAIDS Secretariat to report on implementation of the Management Action Plan through its annual update on strategic human resources management issues;

Evaluation Policy Paper

- f. *Approve* the UNAIDS Evaluation Policy and *request* that an evaluation plan is presented to the 45th meeting as well as annual reporting on the implementation of the evaluation plan.

98. These actions would improve the ability of the PCB to meaningfully engage and support the UNAIDS Secretariat in its necessary goal of eliminating all forms of harassment in its workplace.
99. In addition, the Working Group has provided extensive guidance to the UNAIDS Secretariat on the MAP and related matters. It recommends:
- that the current Joint Inspection Unit study on the investigations function in the UN System review concluded cases, including sexual harassment cases, from both the ILOAT and UNAT tribunal systems to assess whether using the “balance of probabilities” standard would have an impact on outcomes; and.
 - that the Joint Inspection Unit, in its current review of investigations functions, review its 2011 recommendation to establish a Joint UN Investigation Unit, taking into account the related concerns raised by the Chief Executives Board in 2012.
100. The Working Group also recommends that the WHO IOS conclude all outstanding UNAIDS Secretariat cases as soon as possible, to provide clarity and assurance for UNAIDS Secretariat staff.

[Annexes follow]

Annex 1: Working Group Terms of Reference



TERMS OF REFERENCE

Working Group of the Programme Coordinating Board (PCB) to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat

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Working Group of the Programme Coordinating Board (PCB) to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat.

BACKGROUND

In 2018, significant attention was focused on the issue of harassment, particularly sexual harassment, across multiple sectors, including the private sector, government, international organizations including the Joint Programme on HIV/AIDS (UNAIDS). It was a priority for UNAIDS moving forward to take stock of what has worked and what has not worked to prevent and address harassment, including sexual harassment, bullying and abuse of power in the workplace, and identifies best practices and concrete steps for responding better to harassment.

The UNAIDS Secretariat has taken measures to prevent and address harassment in the workplace.

In February 2018, a 5-Point plan was launched with the aim of ensuring that inappropriate behaviour and abuse of authority are identified early on, that the measures taken are properly documented and that actions follow due process and are swift and effective. In September 2018, the 5-point+ plan has evolved into a broader Dignity at Work agenda with four main thematic elements: Gender equality and diversity, inclusion, and non-discrimination; conflict, bullying, harassment and abuse of authority; mental health and wellbeing; and knowing your rights at work—policies and procedures, the internal justice system, and support services. A Dignity at Work Adviser programme was launched in October and dedicated capacity has been added to the Office of the Deputy Executive Director for Management and Governance to help take the plan forward in 2018–2019, and drive implementation of the recommendations of the Independent Expert Panel.

In addition, following the request from the UNAIDS Executive Director, the 2018 PCB Bureau agreed to take forward an Independent Expert Panel (IEP) to review the situation in UNAIDS, evaluate current policies and procedures, and provide firm recommendations on behalf of and in close consultation with the PCB, and to manage this process as expeditiously as possible. The 2018 PCB Bureau endeavoured to balance as best as possible the need for widespread consultation and support from the entire PCB for the work of the Panel with the need for a prompt response.

At the June 2018 PCB, the Board endorsed the steps taken by the Bureau and called for the UNAIDS Secretariat to provide its full support and cooperation to the Panel, including sharing all information necessary to the work of the Panel. It agreed that the priority should be for the Panel to be enabled and empowered to provide an authoritative review and a comprehensive set of recommendations. The PCB also agreed that, alongside the Panel report and Management Response, the UNAIDS Secretariat Staff Association (USSA) would present an update from at the 43rd PCB in December 2018.

In November, the 2018 PCB Bureau could not agree, by consensus, on the modalities to release the IEP report to the PCB members. Therefore, the independent legal counsel advised that the Bureau would need to put a vote to PCB members to resolve a lack of consensus in the Bureau through intersessional decision-making (as per paragraph 3 of the Annex 3 of *modus Operandi*).

On 6 December, the intersessional decision-making concluded, and the Independent Expert Panel Report and Management Response were publicly released on the UNAIDS website in advance of the 43rd meeting of the PCB, which took place from 11–13 December 2018.

The Independent Expert Panel report, Management Response, and Statement by the representative of the UNAIDS Staff Association have been made publicly available on the UNAIDS website with the references UNAIDS/PCB (43)/CRP1, UNAIDS/PCB (43)/18.22 and UNAIDS/PCB (43)/18.23, respectively and can be found on the PCB website at: <http://www.unaids.org/en/whoweare/pcb/43>

The USSA was exceptionally invited by the Board to provide a statement to the 43rd PCB on staff perspectives to the IEP report and the management response. In their statement the USSA reported on staff reactions to the IEP report and the management response.

A survey carried out by the USSA showed that the majority of staff felt they had a chance to provide inputs into the IEP's work, had trusted the process to have been confidential and had been kept sufficiently informed. Overall, 47% of respondents agreed that "the findings and recommendations of the Panel accurately describe the UNAIDS workplace", while 38% percent said they disagreed. 56% of respondents agreed that "the findings and recommendations are helpful in strengthening UNAIDS policies, standards of practice and culture" whereas 25% disagreed.

The USSA reported clear differences in the views of staff in headquarters versus the field, with headquarter staff agreeing in higher numbers than field staff that the IEP report accurately described the UNAIDS workplace and that the recommendations were helpful, while staff in the field were more likely to agree that the management response provided a clear way forward for UNAIDS than staff in headquarters.

The USSA emphasized the passion and commitment to the AIDS response that staff continued to demonstrate despite having been in the centre of a very public discussion about their workplace, and expressed confidence in the collective ability of UNAIDS to turn the current situation into a positive and lasting change. The USSA called for accountability by senior leadership; peer-led efforts to boost staff morale; prevention of retaliation; increased transparency and fairness, especially in human resource decisions; continued investment in constructive staff-management dialogue and for dedication of resources to the change agenda. The USSA also reminded the Board that by protecting and investing in the wellbeing of staff, the UNAIDS Secretariat can maximize the difference it makes in the AIDS response.

The PCB acknowledged the efforts of the UNAIDS Secretariat through 2018 to tackle harassment and requested that a PCB Working Group is established to provide guidance on the way forward for the Board to better monitor and evaluate actions undertaken by UNAIDS Secretariat with the view of ensuring zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat. This experience could also be used to inform the broader UN system.

In accordance with the decisions of the 43rd meeting of the PCB, which took place from 11–13 December 2018, a Working Group²³ is to be established to oversee the immediate implementation of the management response and to further review the conclusions and recommendations contained in the IEP report, and the management response, proposing options to the next PCB meeting, for strengthening the PCB's monitoring and evaluation role on the UNAIDS Secretariat with the view of ensuring zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat. At this meeting, the Board also requested UNAIDS Secretariat fully implement the actions set out in the Management Response, and develop a more detailed, fully costed Management Action plan, complete with review mechanisms and timeline, with regards to the IEP recommendations, which are under its responsibility, in a robust, measurable, timely and ambitious way for consideration by the PCB by intersessional decision-making.

Decision 5.14 of the 43rd PCB meeting

“Decides to establish a Working Group of the PCB to oversee the immediate implementation of the management response and to further review the conclusions and recommendations contained in the IEP report, and the management response, proposing options to the next PCB meeting, for strengthening the PCB’s monitoring and evaluation role on the UNAIDS Secretariat with the view of ensuring zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat.”

Responding to the above decisions, the Working Group will base its review on key background documents including the IEP report, prior reports to the PCB from the WHO Office of Internal Oversight Services and the USSA, the UNAIDS Management Response, and importantly on the UNAIDS Management Action Plan (MAP), which will guide UNAIDS Secretariat in strengthening its human resources management systems.

In addition, the Working Group will examine the existing institutional frames that allow regular reporting to the Board, including: the UNAIDS Strategy 2016–2021, the Unified Budget, Results and Accountability Framework (UBRAF) 2016–2021 with its performance and financial reports, future reports to the PCB, and reports from the WHO Office of Internal Oversight Services, as well as updates on strategic human resources management issues. The UNAIDS Secretariat will embed their responses to the IEP recommendations as captured in the MAP, in the above noted reporting vehicles.

SCOPE OF WORK

The Working Group is requested to provide options/ recommendations to the PCB for strengthening the PCB’s monitoring and evaluation role on the UNAIDS Secretariat with the view of ensuring zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat.

The Working Group is tasked to:

1. **Review** the findings of the IEP report and the UNAIDS Secretariat management response as well as prior reports to the PCB from the WHO Office of Internal Oversight Services and the USSA;
2. **Review and analyse**²⁴ the UNAIDS Secretariat MAP in response to the IEP report and prior reports to the PCB from the WHO Office of Internal Oversight Services and the USSA;
3. **Provide recommendations** to the Board to more effectively monitor and guide the work of UNAIDS Secretariat in strengthening and further institutionalizing existing systems to tackle harassment, including sexual harassment, bullying and abuse of authority at the UNAIDS Secretariat; and
4. **Recommend options** for enhanced reporting on strategic human resources management issues to the PCB including through strengthening the coherence of existing reporting systems (UBRAF performance and financial reporting and the update on strategic human resources management issues as well as internal and external auditor reports.

The Working Group should **also consider and discuss** the role and importance of an independent evaluation function in efforts to strengthen organizational change, accountability and transparency more broadly. The views of the Working Group will be reflected in UNAIDS revised evaluation policy to be presented to the 44th PCB meeting.

ESTABLISHMENT OF THE WORKING GROUP

Drawing on previous experiences of the establishment of PCB sub-committees and working groups, the membership of the Working Group shall be geographically, and gender balanced

and include a total of 11 members, including five members nominated by member states, two civil society representatives nominated by the PCB NGOs, two Cosponsor representatives and two representatives of UNAIDS Secretariat. The Working Group shall elect a Chair from within its membership.

The representatives of the Cosponsors and the Secretariat (1. human resources and 2. governance) would be expected to bring expertise in human resources management issues within the UN System.

Members of the Working Group shall have a mix of the following knowledge and skills:

- Familiarity with the work of UNAIDS particularly the Secretariat, at country, regional and/or global levels;
- Experience in UN governance bodies and human resources management systems;
- In-depth knowledge and experience in:
 - human rights, ethics and gender equality;
 - organizational culture, leadership and performance;
 - sexual harassment, bullying and abuse of authority
 - human resource expertise, including workplace discrimination (all forms);
 - violence against women and men in all their diversity, including sexual exploitation and abuse, victims advocacy;
 - international organizations and multicultural environments; and
 - integrity in public life and experience of public oversight bodies.

The PCB Bureau, in accordance with its mandate to ensure the timely and effective action related to the Board's functioning in collaboration with the Secretariat, will facilitate the establishment of the Working Group through a call for nominations from the different constituencies.

Following its establishment, the Working Group is envisaged to have at least three face-to-face meetings and, in collaboration with the Secretariat, possibly organize one multistakeholder consultation to validate the Working Group's recommendations prior to their presentation to the PCB.

DELIVERABLES

The Working Group is expected to:

1. Present the process and initial findings to the 28 March Special Session of the PCB;
2. Present a report to the 44th meeting of the PCB, including:
 - recommendations for more effective guidance and monitoring from the Board on UNAIDS Secretariat's work to strengthen existing systems to tackle harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat; and
 - embedding this into existing reporting systems, including reporting on strategic human resources management issues and the report of the auditors for enhancing reporting to the PCB.

In addition, the Working Group is expected to provide comments on UNAIDS revised evaluation policy, which will be presented to the 44th meeting of the PCB. Given the potential need to carry work forward to the 45th PCB, a decision will need to be made during the 44th meeting regarding any future action by the Working Group.

TENTATIVE SCHEDULE

Early February 2019

- PCB Bureau sends Terms of Reference for approval with call for nominations to all PCB members;
- PCB Bureau engages with regional groups to ensure that all regions have a nominee.

End-February 2019

- Initial discussion and meeting to review the terms of reference and expected outcomes of the Working Group;
- Agreement on modalities of work and division of labour among members of the Working Group;
- Validation of schedule of work and deliverables.

March 2019

- Conduct analysis of the IEP report, UNAIDS Management Response, UNAIDS MAP, Staff Association statements, and broader UN-system wide policies and reforms
- Review of the initial findings of the review and the analysis and frame initial draft of recommendations.

28 March 2019

- Presentation of the Working Group's process and initial findings to the Special Session of the PCB
- Followed by the 2nd meeting of the Working Group to:
 - identify further analyses and consultations as necessary.

April 2019

- Conduct the identified further analyses and consultations;
- Prepare a final draft of the Working Group report and recommendations for:
 - the way forward: identifying strategies for long-term institutionalization of findings of the IEP report;
 - strategies for PCB monitoring and evaluation of UNAIDS Secretariat's implementation of these responses.

May 2019

- 3rd meeting of the Working Group to finalize its findings and recommendations, possibly followed by a multistakeholder consultation to validate the recommendations of the Working Group

June 2019

- Presentation of the recommendations of the Working Group to the 44th PCB.

ESTIMATED BUDGET

Meetings of the Working Group	Estimated cost (USD)
Meeting costs (for a total of 3 meetings – assuming they are held in Geneva)	2000
Travel (people for 3 meetings – flights @ USD per person)	36 000
Per diem (people for 3 meetings – 6 days @ USD per day)	
Contingencies	15 000
	53 000

Annex 2: Working Group membership

MEMBER STATES – ÉTATS MEMBRES

African States – États d'Afrique

Madagascar

Marc Rajaonarison, Attaché, Permanent Mission of the Republic of Madagascar to the United Nations Office and specialized institutions in Geneva, Switzerland.

Asian States - États d'Asie

Islamic Republic of Iran – République Islamique d'Iran

Tofigh Sedigh Mostahkam, Minister, Permanent Mission of Iran to the United Nations Office at Geneva and other international organizations in Geneva, Switzerland.

Eastern European States - États d'Europe orientale

Russian Federation – Fédération de Russie

Dilyara Raviлова-Borovik, Deputy Director of the Department of International Organizations, Ministry of Foreign Affairs of the Russian Federation, Moscow, Russian Federation.

Latin American and Caribbean States - États d'Amérique latine et des Caraïbes

Mexico – Mexique

Sofia Varguez, Attaché, Permanent Mission of Mexico to the United Nations Office and other international organizations in Geneva, Switzerland.

Western European and Other States – États d'Europe occidentale et autres État

United Kingdom – Royaume-Uni

Danny Graymore, Head, Global Funds Department, Department for International Development (DfID), Permanent Mission of the United Kingdom of Great Britain and Northern Ireland to the United Nations Office and other international organizations in Geneva, Switzerland.

COSPONSORING ORGANIZATIONS – ORGANISMES COPARRAINANTS

World Food Programme – Programme Alimentaire Mondial

Fatiha Terki, Deputy Director, Nutrition Division, World Food Programme, Rome, Italy.

United Nations Population Fund – Fonds des Nations Unies pour la population

Ms Laurie Newell, Global Coordinator UN Cares, United Nations Population Fund, New York, United States.

REPRESENTATIVES OF NONGOVERNMENTAL ORGANIZATIONS/PEOPLE LIVING WITH HIV – REPRESENTANTS DES ORGANISATIONS NON GOUVERNEMENTALES / PERSONNES VIVANT AVEC LE VIH

Africa – L’Afrique

Lucy Wanjiku, Team Leader, Positive Young Women Voices (PYWV), Nairobi, Kenya.

Europe – L’Europe

Alexander Pastoors, Representative International Affairs, HIV Vereniging Nederland, Amsterdam, Netherlands.

UNAIDS SECRETARIAT – SECRÉTARIAT DE L’ONUSIDA

Alison Holmes, Director, Human Resources Management, UNAIDS Headquarters, Geneva, Switzerland.

Vinay Saldanha, Director, Regional Support Team, Eastern Europe and Central Asia, Moscow, Russian Federation.

Annex 3: Mapping of IEP recommendations against MAP actions and interagency discussions

Independent Expert Panel report recommendation			UNAIDS Secretariat MAP items—29 March 2019		Related good practice	Working Group response
Theme	Number	IEP report recommendation	MAP number	UNAIDS Secretariat MAP and other response		
Governance	5.1.1	Establish accountability of the Executive Director function: The UNAIDS PCB should ensure that the Executive Director is fully accountable for the health of the UNAIDS Secretariat as a workplace that complies with UN laws, policies and values.	2c	Consolidated delegation of authority framework (staffing and financial authorities): enhanced training for staff on internal governance and responsibilities within delegated authorities; each staff member provided with a list of authorities and responsibilities delegated to them.	This is standard good practice in defining organizational accountabilities and responsibility in decision-making.	UNAIDS Secretariat reports that a draft is in process, expected to be ready in the third quarter 2019. The Working Group fully supports this action item under the MAP.
			5c	Engage with PCB on its strengthened monitoring and guidance on strategic human resources issues, including preventing and addressing bullying, harassment, sexual harassment, discrimination and abuse of authority.	It is standard that the governing bodies of UN entities have an oversight role with relation to human resources.	This is item 3 of this Working Group's terms of reference and recommendations made throughout this report support this MAP action.
			5c	Deepen the strong partnership with the UNAIDS Secretariat Staff Association, enhancing data driven staff engagement approaches and responding to staff needs and priorities	Handbook: Addressing violence and harassment against women in the world of work: "Promising practices... <i>Consulting women workers</i> , with priority given to actions that implement a positive workplace culture and a working environment that result from listening to women workers' experiences, ideas and suggestions." p. 61	The Working Group supports this as means to support keeping "staff at the centre."
			5e	Continue monitoring and publicly reporting on progress and challenges against the targets of the UNAIDS Gender Action Plan.	Systemwide Strategy on Gender Parity: "While fundamentally a right, parity is increasingly necessary to the UN's efficiency, impact and credibility. Greater diversity is directly correlated in both public and private sectors with significant gains in operational effectiveness and efficiency... Moreover, for the UN, parity is critical to its credibility as a standard bearer, is an imperative requested by Member States and is reflected in a number of GA resolutions." p. 5	Gender parity and gender equality in the UN system remain priorities for all UN entities. The Working Group commends the UNAIDS Secretariat on its progress to date on gender parity and welcomes further work in this regard.

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			5a	<p>Conduct an annual survey of staff on perceptions and experience of the working environment, and trust in senior management, with follow up briefings and tailored coaching for offices and teams.</p>	<p>Review of Whistle-Blower Policies and Practices in United Nations System Organizations, Joint Inspection Unit, JIU/REP/2018/4: "Global staff surveys can be useful tools for gauging "tone at the top" and for monitoring change management initiatives, rating services and functions and tracking accountability frameworks. If done on a regular basis, they can provide a longitudinal view of progress over time on various topics and initiatives and can be a mechanism for collecting dissenting views..."</p> <p>In order to both influence change and gauge viewpoints on accountability and ethics-related issues, the governance of the survey should be clear. This means that, while the survey should be fully "owned" by the administration with inputs and buy-in from key stakeholders such as staff associations, it should ideally be administered by an independent third party that is external to the organization. The consultation process between the administration and staff associations is particularly important to eliminate any leading or biased questions..."</p> <p>UNAIDS relies solely on its staff association to conduct such surveys, which means that the administration does not necessarily commit to the survey's design or results and that the survey can easily be dismissed or misused" (page 71).</p>	<p>This a common practice among UN organizations, including some of the UNAIDS Cosponsors—to have management run a "climate" or "engagement" survey of all staff (or personnel) that includes questions about the trust of staff in their direct supervisors and in senior management of the entity - often every two years.</p> <p>While appreciating the long-standing service of the UNAIDS Secretariat Staff Association in surveying colleagues, the Working Group supports the UNAIDS Secretariat management taking ownership of this process.</p> <p>The Working Group also concurs with and underlines the JIU statement that surveys "are only effective and credible if their use is transparent and strategic, with detailed plans developed and outlined prior to launch that specify: (a) how (online, via email and/or other means) and to whom (staff, non staff, etc.) the survey will be distributed; (b) what information needs to be collected to tell the organization what it needs to know in order to improve services or functions; (c) how the results will be used (and possibly validated against other data); and (d) how the results will be shared and with whom (e.g., publicly posted)." JIU/REP/2018/4, page 71.</p>
			3a	Enhanced operational support and routine inspection visits to all		The Working Group supports this action.

Independent Expert Panel report recommendation			UNAIDS Secretariat MAP items—29 March 2019		Related good practice	Working Group response
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				offices and teams (field and Geneva), assessing compliance with policies and procedures, and staff wellbeing at work.		
	5.1.2	Establish a memorandum of understanding for oversight: The Secretary-General and the PCB should develop a memorandum of understanding that revises and states their obligations for the oversight of the UNAIDS Executive Director, and thereby the UNAIDS Secretariat.				Based on legal views received, The Working Group would kindly request the Joint Inspection Unit, in the context of its current management review of the UNAIDS Secretariat, to consider elements of governance and oversight.
	5.1.3	Invest the necessary resources: If 'zero tolerance' is to be a reality, the PCB needs to arrange for sufficient investment in UNAIDS to enable the recommended reforms.				The Working Group encourages the PCB to approve the resources required to enable the UNAIDS Secretariat to make the required changes.
			2.a.	Make the Action Plan a standing agenda item on Senior Management Team and Regional Management Meetings to assess progress and challenges, and provide strategic focus to implementation efforts, with staff informed of key outcomes and decisions from each meeting.	Enabling Environment Guidelines for the UN System: "For senior leaders: Be a role model; Demonstrate and actively support desired behaviours and change." (page 7)	Senior leadership has several critical roles to play in culture change efforts. The Working Group supports continued attention by senior UNAIDS Secretariat leaders to the MAP.
			3d	Publish anonymized summaries to all staff describing disciplinary action taken by management and other accountability measures; analysis of requests for	Review of Whistle-Blower Policies and Practices in the United Nations System Organizations, Joint Inspection Unit, 2018: "...the Inspectors recommend that, by the end of 2019, executive heads of UN system organizations publicly post an	This is a common good practice among UN entities, including 6 of the UNAIDS Cosponsors, now further recommended by the Joint Inspection Unit. The Working Group supports the

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				administrative review and other internal justice processes.	annual report, with all due consideration to confidentiality, on misconduct/wrongdoing and retaliation cases, specifically including the allegations, findings and outcomes, including administrative actions taken (recommendation 9)." page xi	UNAIDS Secretariat undertaking this action.
	5.1.4	Review progress in one year: The UNAIDS PCB should commit to an external independent review of progress in implementing the agreed recommendations in one year.				The Working Group is of the view that monitoring of progress with relation to the elimination of harassment, including sexual harassment, bullying and abuse of power can be effectively carried out by several other means, recommended elsewhere in this paper, an approach which may be more sustainable over time. This includes: enhanced reporting on strategic human resources issues; compliance with Ethics standards suggested by the JIU, including full and direct annual reporting to the PCB; and transparency about disciplinary cases and related sanctions imposed. Further, the use of a management-led, externally administered climate survey can provide data over time. The establishment of a dedicated capacity within the PCB will improve its ability to monitor and guide the UN Secretariat on these issues, and an evaluation on progress in implementing the MAP can be carried out under the new Evaluation Policy at periodic intervals.
Leadership	5.2.1	Decide if the Executive Director can continue in the role: The Panel recommends the PCB carefully consider the condition of the organization as found in this report		Prior Executive Director has left. Selection of next Executive Director is in process under the leadership of the PCB		Given that the Working Group was first convened on 15 March 2019, it has not considered this recommendation.

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		and determine if the present Executive Director can continue in the role.				
	5.2.2	Recondition the leadership team: The PCB should consider placing a freeze on new senior-level appointments, especially that of the Deputy Executive Director, until it makes the leadership decision. All new leadership appointments should be influenced by the findings in this report, especially a strong consideration for gender equality in all leadership appointments.		DED-Programme has been selected. New Director, Human Resources has joined		Given that the Working Group was first convened on 15 March 2019, it has not considered this recommendation.
			4c	Use assessment centres for the recruitment of staff with supervisory responsibility, incorporating expanding methods and tools to assess candidates on UNAIDS' values and technical and managerial competencies.	This is common practice among UN entities for leadership positions, especially heads of country offices.	The Working Group appreciates the pilot assessment center already conducted and supports this use of this selection tool for key senior positions (P5 heads of units and above) in the future, to ensure a good fit between managers' skills and organizational expectations and needs, particularly when it comes to values, and the need to create an enabling environment.
	5.2.3	Reclaim the independence of the Ethics Office: The Panel recommends that the Ethics Office be moved out of the management structure and to reclaim the original purpose of the function.	3f	Ethics function strengthened in line with UN Joint Inspection Unit recommended best practices.	Joint Inspection Unit Report "Ethics in the United Nations System", 2010 , outlines standards. Key among them: transparency in recruitment; professional background in ethics for ethics staff; term limits; report directly to executive head; also have both formal and informal access to the legislative body. JIU recommendations to legislative bodies from this report are in Annex 4.	The Working Group recommends the UNAIDS Secretariat to implement all JIU recommendations with relation to its Ethics function, including independent annual reporting as well as informal access directly to the PCB.
Management	5.3.1	Make the Human Resources Strategy a real plan for culture change: A comprehensive Human Resources Strategy must be funded and	4b	Implement upward feedback from supervisees in management appraisals for director-level staff and above to better assess	This is a practice in use in the performance management systems of some other UN system organizations, including UNFPA. The anonymous feedback provided is	The Working Group supports the UNAIDS Secretariat to undertake these actions, noting the importance

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		resourced with the professional expertise to drive change forward and make these activities a priority.		competency in managing people, promote mutual accountability.	considered in concluding the performance ratings of the relevant staff member.	of ensuring confidentiality in small offices.
			3e	<p>Use UN common services for job classification and reference checking (OneHR service centre), and ClearCheck screening database to avoid the hiring or rehiring of individuals who have left the UN due to misconduct.</p>	<p>CEB Task Force on addressing sexual harassment in the organizations of the UN system - UPDATE Annex 2, Guidelines on Sexual Harassment Screening Database, CEB Meeting 3-4 May 2018: "Vetting using the Screening Database: Before employing an individual, each Entity shall search the Screening Database to determine whether s/he has Record of Sexual Harassment" (Annex 2, 7.1)</p> <p>Article 13 of the statute of the International Civil Service Commission, "The Commission shall establish job classification standards for all categories of Staff in fields of work common to several of the organizations. It shall advise the on the development of consistent job classification plans in other fields of work."</p> <p>The practice of job classification is the basis of and fundamental to ensuring fairness and equity in hiring and compensation across the UN common system of organizations, of which the UNAIDS Secretariat is a member. The practice has been in place for more than 40 years. Using the OneHR service centre to do so is a "delivering as one" approach.</p>	These actions ensure the UNAIDS Secretariat operates in line with standard UN system practices, both new and old. The Working Group welcomes the UNAIDS Secretariat committing to these activities.
			4e	10% for strengthening UNAIDS - interested staff can devote up to 10% of their work time to build knowledge and strengthen collaboration and innovation to	This is a practice in some private sector organizations, to encourage and recognize creativity and engagement among staff. The Working Group understands that this is <i>optional</i> for UNAIDS Secretariat personnel and will include activities already taking	While this is not directly related to harassment, including sexual harassment, bullying and abuse of power, this practice can contribute to an overall positive and empowered workplace culture.

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				maximize collective results for the AIDS response.	place, including peer-led networks, such as involvement in UN Plus, UN-GLOBE, the UNAIDS Secretariat Staff Association and the like.	
			1b	Recruit a staff wellbeing adviser to lead the development and implementation of a UNAIDS staff mental health and wellbeing strategy, aligned with the UN system strategy; Senior Management Team members are role models for well-being in the workplace, including through their use of flexible working arrangements.	In October 2018, the UN system launched the evidence-based UN System Mental Health and Well-Being Strategy, applicable to the whole of the UN system. Key findings of the surveys informing the strategy include that UN system respondents to the survey report higher rates of symptoms related to mental health conditions than the average population (anxiety, depression, PTSD and hazardous drinking). These findings were true for both headquarters and field locations and the likelihood of symptoms increased, the longer the duration of a staff member's service. In response, the strategy includes a 5-year body of work on multiple aspects of mental health in the UN workplace include: access to services; quality of services; building managerial capacity to address mental health in the workplace; education for staff in general; reduction of mental-health-related stigma in the workplace to help increase the willingness of staff to seek care when needed; an eventual well-being programme.	Given the UN system data available on the impact of mental health in the UN system workplace, the links between workplace harassment and mental health and the UN-wide focus on creating an enabling environment, it is wise for the UNAIDS Secretariat to invest in a staff wellbeing advisor and the Working Group fully supports this action.
			4a	UNAIDS staff mobility policy, workforce planning and career development modalities are reviewed and redesigned to support a diverse, versatile and high-performing workforce, placing the right skillsets in the right places at the right time, creating professional development opportunities, and limiting possible unintended adverse consequences	System-Wide Strategy on Gender Parity: "Inclusivity and equality will not be attainable without a working environment that prizes diversity and flexibility, provides equal opportunities, recognizes that staff are also family and community members, and ensures a safe environment in which to work. Achieving such an environment requires a clear commitment formalized through a strategy and consistent policies, and mechanisms for implementation,	This MAP action is a broad statement. While positive in principle, the Working Group welcomes additional details.

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				for the institution and staff (e.g. vis-à-vis gender equality, staff and family wellbeing).	enforcement and accountability." (p. 33) Enabling Environment Guidelines for the UN system: "The effectiveness of the United Nations and effectiveness of our efforts depend on reaping that gains that come from the gains in efficiency and productivity that come from diversity and gender parity." (p. 4)	
			1c	Ensure accessibility of confidential, professional counselling services to all staff; provide routine offer of counselling to all colleagues being assigned to and currently serving in hardship duty stations (D & E), experiencing workplace stress and conflict or managing a major life event.	UN System Mental Health and Well-Being Strategy: "Mental health and well-being services are accessible and acceptable to all staff" (Staff Experience, item 3) "Psychosocial and mental health products and services are delivered within safety and quality systems" (Service delivery and business approach, item 3)	Launched in October 2018, the evidence-based UN System Mental Health and Well-Being Strategy confirms the need for organizations to ensure sufficient access to acceptable mental health services. The Working Group supports the UNAIDS Secretariat in taking this action and looks forward to further information about how and when these services will be provided.
			4d	Expand collaboration within and across functional and geographic groupings, across all categories of staff (nationally- and internationally-recruited); diversify sources of mentoring and coaching (i.e. beyond direct supervisor).	The goal of this is to take staff in small offices out of isolation.	The Working Group supports this action.
	5.3.3	Develop and implement regular preventive training: UNAIDS should develop and implement training designed to make managers and staff clearly understand unacceptable behaviours, to build an inclusive and respectful culture, and to empower staff to speak up about concerns.	1a	Expand implementation of the Dignity at Work Advisor programme—building knowledge of rights at work, promoting mental health and wellbeing, addressing bullying and harassment, fostering an inclusive workplace culture.	An inclusive workplace culture is the result of many actions by many people, taken consistently over years. The Dignity at Work Advisor programme, building on good practice in other UN system organizations (UNHCR, WFP, OHCHR and others) can be expected to contribute to the themes listed.	The Working Group supports this action and encourages the UNAIDS Secretariat to develop practices to monitor the reach of the Dignity at Work Advisor programme and its effectiveness in addressing bullying and harassment and fostering an inclusive workplace culture. The Working Group further encourages the UNAIDS Secretariat

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						to use the Guide for Managers: Prevention of, and Response to, Sexual Harassment in the Workplace developed through the CEB Task Force on addressing sexual harassment in the organizations of the UN system and shared in May 2018.
			1d	Implement tailored pre-deployment and in-post induction briefings, support and training; provide all staff with information on their rights at work (including in relation to conditions of service; allowances and benefits; grievances and appeals), and on the services available to them in case of a major life event (e.g. living with chronic illness, including HIV infection; having a child; managing caregiving responsibilities for ill or ageing parents; bereavement; returning to work following parental leave or long-term sick leave).	This action is in keeping with interagency Duty- of-Care discussions and the mandatory actions agreed for non-family duty stations.	The Working Group welcomes this action and looks forward information about how and when this will be implemented.
			2d	Strengthen UNAIDS organizational culture for human rights, gender equality and the Greater Involvement of People Living with HIV is linked with the strengthening of UNAIDS' programmatic action and engagement of communities most affected by HIV. (Specific action plan to be determined in consultation with the Gender, Human Rights and Community Mobilization teams; RST for eastern and southern Africa.)		The Working Group supports this work in principle and awaits further information on this.

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Policy and Process	5.4.1	Establish an external independent investigation, disciplinary and redressal system: The Panel recommends establishing an independent body external to UNAIDS where complaints of harassment including sexual harassment, bullying, and abuse of power in all its forms are first received. Such an external body should have independence from UNAIDS and the authority to establish a safe, confidential means of fact-finding, investigation and conciliation. It should have the power to access relevant documents and witnesses and to impose appropriate sanctions. Allegations of serious misconduct should be determined by reference to a standard of proof on the balance of probabilities, or similar.	3c	Urgently establish service level agreement, other improved standards, to ensure quality and timely investigative services from WHO Internal Oversight Services, upholding due process.	The investigations function in the United Nations system, Joint Inspection Unit, 2012, A67/140 states on page 4, "Of particular note is the recommendation addressed to the United Nations Secretary-General requesting that he establish an interagency task force under the auspices of CEB that will develop options for the creation of a single United Nations system Investigation Unit by the end of 2013 for presentation to legislative bodies. This ultimate consolidation of the investigation function into a sole United Nations entity would benefit small agencies without investigative capacity, harmonize business practices, result in common standards and procedures in conducting investigations, resolve independence issues, result in hiring only professional investigators, allow staff promotion opportunities as well as address fragmentation issues, etc. The Inspectors recognize that this will be a difficult and very complex undertaking but are confident that, if addressed positively by all parties, attendant problems can be overcome and the benefits to the organizations and their staff will be significant."	No action has been taken to date in the UN system on this 2011 recommendation. The Joint Inspection Unit is currently carrying out a follow-up review on investigations. UNAIDS Secretariat leadership should study the outcomes of that review and advocate for continued improvement in investigations. Having consulted with the Chair, interagency working group to strengthen investigations, the Working Group understands that establishing target timelines for investigations is current practice in parts of the UN system. Further, that group will establish, "Guidance on investigations and disciplinary timelines." Therefore, the Working Group fully supports this action.
			3h	Examine options for the establishment of an external and independent investigation, disciplinary and redressal system, working with key stakeholders, including survivors, and other interested UN entities. Raise these issues and build support in UN system-wide management platforms (Human Resources Network, High-Level Committee on	This item is addressed in some detail in the body of the paper, as well as in the cell above.	The Working Group recommends that the Joint Inspection Unit, in its current review of investigations functions, revisit its 2011 recommendation to establish a Joint UN Investigation Unit, taking into account the related concerns raised by the Chief Executives Board in 2012.

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				Management, Chief Executives Board).		
	5.4.2	Reform policy and procedures: The responsibility for establishing cause to support and proving misconduct is not to be imposed on the staff member but should be accepted by UNAIDS as a duty to investigate proactively whenever there is cause for suspicion of misconduct involving sexual harassment, harassment, bullying or abuse of power.	3b	Adopt and enforce strengthened policy prohibiting all forms of harassment, abuse and discrimination; strengthened whistleblowing and protection against retaliation policy.	<p>UN System Model Policy on Sexual Harassment, "Formal reports [...] are not subject to deadlines."</p> <p>According to WHO, the WHO policy covering sexual harassment, which is applicable in the UNAIDS Secretariat, is in the process of being updated to comply with the CEB Model Policy, expected to be final by third quarter 2019.</p>	Once the WHO Policy is update, the UNAIDS Secretariat should promulgate it immediately. The UNAIDS Secretariat should keep itself informed about any unforeseen delays in the completion of this policy, should such arise and revert to publishing its own policy, if needed.
		<i>Any policy on harassment, bullying and abuse of power should recognize the distinct nature of sexual harassment through stand-alone provisions codifying sexual harassment in the workplace of women and persons belonging to vulnerable sexual orientations and gender identities.</i>			<p>UN System Model Policy on Sexual Harassment includes a thorough uniform definition as well as this statement (Policy Statement, para 5), "Offenders and targets/victims/affected individuals can be any gender, and "[s]exual harassment, like sexual abuse and sexual violence, is rooted in historic power imbalances and the male-dominated culture that permeates governments, the private sector, international organizations and civil society." (CEB Statement May 2018)</p> <p>And,"Power imbalances based on gender, workplace or educational status, racial or ethnic backgrounds, age, disability, sexual orientation or economic class could impact on sexual harassment and violate the human right of equality."</p>	The forthcoming revised WHO policy covering harassment, applicable to the UNAIDS Secretariat, will meet this requirement.
		<i>The affected staff member chooses the route for resolution of the complaint, not the management.</i>			<p>UN System Model Policy on Sexual Harassment - Early Intervention section, para 1: "Targets/victims/affected individuals may on a voluntary basis, if they feel comfortable and safe doing so, approach alleged offenders about inappropriate behaviour or instances of possible sexual</p>	The forthcoming revised WHO policy covering harassment, applicable to the UNAIDS Secretariat, will meet this requirement.

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					<p>harassment and ask for such behaviour or instances to stop as the alleged offenders may not be aware of the negative impact of their behaviour on others. However, disparity in power or status, fear of retaliation or the nature of the behaviour and/or instances of possible sexual harassment may make direct confrontation difficult, and there is therefore no requirement for such action to be taken."</p> <p>Also under "Receipt and handling of formal reports" para 1, it states, "Formal reports of possible sexual harassment may be made by persons who consider that they were the targets/victims/affected individuals or by persons who have direct knowledge of possible harassment or by any third-party."</p>	
		<i>One nodal entry point resourced and qualified to receive claims with independent advice and guidance...</i>			<p>Handbook: Addressing violence and harassment against women in the world of work, "Trust in the complaint system can also be fostered by offering multiple reporting options. This allows complainants to follow the procedure of their choice, depending on their needs and expectations (the degree of formality of the procedure, the involvement of other departments or actors in the organization, or the right to confidentiality)." p. 73</p>	<p>Within and beyond the UN system good practice on this matter is considered having multiple entry points. That said, the UNAIDS Secretariat needs to ensure clear communication to all personnel about the various entry points and their roles, as well as ensuring that people staffing the various channels (e.g. Ethics office, human resources, supervisors, Dignity at Work advisors, staff counselling, etcetera) are themselves well versed in the various channels, so they can advise appropriately and, therefore, from the user perspective, there is "no wrong door."</p>
		<i>Separate the redress mechanism from the internal administration. The Executive Director powers should be limited to the right to be consulted and</i>			<p>List of Key Oversight Terms, Office of Internal Oversight Services, United Nations Secretariat (2013): "Disciplinary sanctions: Failure by a staff member to</p>	<p>Disciplinary sanctions (UN Secretariat) are defined in the cell to the left. The application of disciplinary sanctions is an action taken by the</p>

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		<i>exclude the power to determine the process of enquiry or the outcome of disciplinary sanctions.</i>			comply with his or her obligations under the Charter of the United Nations, the Staff Regulations and Staff Rules or other relevant administrative issuances or to observe the standards of conduct expected of an international civil servant may amount to misconduct and may lead to the institution of a disciplinary process and the imposition of disciplinary measures for misconduct. They may take one or more of the following forms only: (a) written censure; (b) loss of one or more steps in grade; (c) deferment, for a specified period, of eligibility for salary increment; (d) suspension without pay for a specified period; (e) fine; (f) deferment for a specified period, of eligibility for consideration for promotion; (g) separation from service, with notice or compensation in lieu of notice, notwithstanding staff rule 9.7 and with or without termination indemnity pursuant to paragraph (c) of annex III to the Staff Regulations; (h) dismissal."	employing entity; therefore, it may be legally problematic to remove from the Executive Head (or, the case of larger entities, the head of management) the responsibility to conclude and apply disciplinary sanctions. Further establishing such sanctions fairly and consistently requires detailed knowledge of UN rules, regulations, and jurisprudence over time, further rendering it difficult to outsource.
		<i>The standard of proof is on a balance of probability.</i>			This issue is dealt with in detail in the body of the paper.	The Working Group recommends the Joint Inspection Unit review a sample of concluded cases to determine whether using a "balance of probability" standard of proof would have changed the outcomes, particularly with relation to sexual harassment cases.
		<i>No time limit barring the filing of a complaint.</i>			UN System Model Policy on Sexual Harassment , "Formal reports... are not subject to deadlines." According to WHO, the WHO policy covering sexual harassment, which is applicable in the UNAIDS Secretariat, is in the process of being updated to comply with	Once the WHO Policy is update, the UNAIDS Secretariat should promulgate it immediately. The UNAIDS Secretariat should participate in the establishment of this policy, keep itself informed about any unforeseen delays in its completion, should such arise, so it takes remedial action.

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					the CEB Model Policy, expected to be final by third quarter 2019.	
		<i>The independent body is staffed with a sufficient number of qualified investigators with specialist expertise...</i>			<p>The work of the, "CEB Task Force Sub-Group on Strengthening Investigatory Capacity And Improving Investigations of Sexual Harassment within the Organizations of the UN System" to be completed within 2019, is relevant. See Annex 5 for summary of work products and timelines related to selection, training, pooling and good interview, communication and other practice with relation to the number, skills and qualifications of those investigating sexual harassment in the UN system.</p> <p>Further, this issue is addressed in the body of this paper.</p>	The UNAIDS Secretariat should continue the dialogue with WHO to ensure these improvements benefit the UNAIDS Secretariat as soon as possible, including sufficient staffing of the investigation function, once target time frames have been agreed.
		<i>The determination of a complaint should encompass all the available evidence and surrounding circumstances in a context of the principles of natural justice...</i>			Having consulted a number of UN colleagues with legal credentials, the meaning of this recommendation is not completely clear. It is already standard practice that investigation of a complaint must include all evidence, including circumstantial.	The interagency CEB Task Force Sub-Group on Strengthening Investigatory Capacity And Improving Investigations of Sexual Harassment within the Organizations of the UN System is developing several products that will strengthen the ability of the UN system to effectively investigate sexual harassment claims. Please see the full list of deliverables in Annex 5 for details. The Working Group encourages the UNAIDS Secretariat to remain engaged with WHO/IOS on the implementation of the deliverables of this Working Group, as soon as they are available.
		<i>Expand protection from retaliation</i>	3b	Adopt and enforce strengthened policy prohibiting all forms of harassment, abuse and discrimination; strengthened		The Working Group supports this action.

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				whistleblowing and protection against retaliation policy.		
		<i>Prohibit disclosure of name, identity and any other identifying details...</i>			<p>The Investigation Process, WHO/IOS, paragraphs 19 and 20, "Investigations are conducted confidentially. Among other things, this means that there can be no unauthorized disclosure of investigation reports and other information held by IOS staff. This protects both those who make the reports to IOS and the subject of the investigation. It also protects the integrity of the process. Confidentiality during an investigation is equally important to ensure that those with information are not hesitant to come forward and to avoid damaging the reputation of individuals, offices, projects, or organizations by the premature disclosure of allegations that may prove to be unfounded. The requirement for confidentiality requires that all evidence and investigative records must be secured by IOS."</p>	<p>To the understanding of the Working Group, current investigations policy is entirely in line with this recommendation. The Working Group strongly encourages the UNAIDS Secretariat to ensure that standard practice around confidentiality is upheld in all cases.</p>

Annex 4: Ethics in the United Nations System, Joint Inspection Unit Report 2010²⁵

Recommendations for consideration by legislative organs²⁶

1. The legislative bodies of the smaller organizations should direct their respective executive heads to put forward proposals for providing the ethics function through either a joint ethics office established by a group of organizations on a cost-sharing basis or insourcing to the ethics office of another organization on a cost-sharing/cost-recovery basis;
2. The legislative bodies should direct their respective executive heads to apply term limits to the appointment of the head of the ethics office, which should be a non-renewable appointment of seven years, or no more than two consecutive appointments of four or five years, with no possibility of reemployment by the same organization;
3. The legislative bodies should direct their respective executive heads to ensure that the head of the ethics office submits an annual report, or a summary thereof, unchanged by the executive head, directly to the legislative body, together with any comments of the executive head thereon;
4. The legislative bodies should direct their respective executive heads to ensure that the head of the ethics office has informal access to the legislative bodies which is enshrined in writing;
5. The legislative bodies should direct their respective executive heads to file a financial disclosure statement, which should be reviewed in the same manner as for all other staff members who are required to file such statements; and
6. The legislative bodies should direct their respective executive heads to put forward proposals for an internal mechanism to be established that would set out the modalities for the ethics office and/or the internal oversight service to investigate or undertake reviews of allegations brought against the executive head of the organization, including reporting the outcome of the investigation or review directly to the respective legislative body.

Annex 5: CEB Task Force Sub-Group on Strengthening Investigatory Capacity and Improving Investigations of Sexual Harassment within the Organizations of the UN System²⁷

	Sub-group's expected products	Timeline
A	Agreed criteria for the selection of investigators tasked with investigating sexual harassment.	1 July 2019
B	A Manual of Guidance for the Investigation of Sexual Harassment, including, among many other things: <ul style="list-style-type: none"> • guidelines on victim-centered investigations; and • guidelines on digital forensics. 	1 October 2019
C	Recommendations for a uniform system for communicating with victims and other stakeholders.	1 July 2019—for consideration by the CEB Task Force
D	A system-wide interview training programme for investigators.	Ongoing through 2020
E	A sexual harassment investigation training programme.	Ongoing through 2020; pilot in November 2019
F	An agreed methodology between UN Investigation Services on pooling resources.	31 May 2019
G	Agreement between UN Investigation Services in dealing with conflicts of interest.	31 May 2019
H	Guidance Notes to UN decision-makers when considering sexual harassment matters.	30 April 2019
I	Guidance on investigations and disciplinary timelines.	31 May 2019 for consideration by the CEB Task Force

Annex 6: Handbook: Addressing violence and harassment against women in the world of work (ILO/UN Women)²⁸

“Promising practices on practical prevention plans and strategies that can be effectively implemented in the workplace include:

- *Consulting women workers*, with priority given to actions that implement a positive workplace culture and a working environment that result from listening to women workers’ experiences, ideas and suggestions;
- *Providing sufficient resources* to enable managers to play an active role in raising awareness and to act on warning signs of violence and harassment against women;
- *Carrying out a confidential and anonymous annual climate survey*, to help identify key issues in the working environment, including how safe workers feel in the workplace, whether they feel confident enough to file a complaint and whether they feel they would be believed;
- *Providing regular training for all workers, supervisors and managers*, covering how to prevent violence and harassment against women and how to address wider gender inequalities and social norms;
- *Building and fostering a climate of trust, dignity and respect among workers*, by taking active steps to reduce potential work conflicts, incivility, disrespectful behaviour, and certain organization of work processes, which may, if left unchecked, lead to violence and harassment against women;
- *Implementing practical measures* including resources for components, such as alarms, ID keys, passcodes and cameras. A number of initiatives can be cost-free, such as carrying out safety walks through a workplace that can enable women to identify parts of the building, work processes or aspects of work organization that pose risks to their safety;
- *Seek solutions to resolve problems or disputes amongst workers before they escalate*, taking into account that tools such as mediation assume equal power at the table, whereas cases of violence and harassment against women are an expression of unequal power. Use team approaches to rebuild damaged relationships in the workplace based on mutual trust, for example, through restorative justice programmes (UK Restorative Justice Council, 2011); and
- *Including provisions related to domestic violence at work*: Ensure that women workers who are affected by domestic violence at work (such as when they are followed by violent partners to work) are assisted with practical safety planning, and that relevant managers and security staff are provided with a photograph of the abuser to prevent entry.

Promising practices in collective agreements and policies and procedures include the following elements:

- *Prohibiting violence and harassment with a clear and comprehensive definition*, including physical, verbal, non-verbal and sexual forms of violence and harassment against women that is understood by everyone;
- *Ensuring strong endorsement and ongoing commitment by leaders and senior managers*, by launching the policy and issuing a zero-tolerance statement regarding violence and harassment against women; regularly referring to the policy and holding staff meetings about the policy; and modelling respectful and non-discriminatory behaviour and values;
- *Establishing a working environment free from violence and harassment*, promoting a culture of respect that values women and men equally; regularly consulting staff about their safety concerns and implementing practical measures, such as removing pornographic or sexually-explicit materials and creating well-lit work areas;
- *Establishing a workplace committee composed of employers' and workers' representatives*, tasked with monitoring the implementation of the policy; overseeing training programmes and complaints processes/investigations;
- *Establishing transparent and non-discriminatory recruitment and promotion procedures*, by establishing gender-balanced selection committees; ensuring appropriate interview questions; eliminating opportunities for *quid pro quo* sexual harassment during the recruitment process;
- *Setting out clear and accessible complaints procedures*, by ensuring confidentiality of complaints, including by third parties; ensuring a victim's informed consent to move forward with any process, and taking their views into consideration when an employer takes a decision to engage a formal reporting process; setting out, and ensuring understanding of, informal and formal procedures; and implementing specific timeframes to ensure timely and diligent resolution;
- *Allowing for confidential and anonymous reporting systems, including for whistleblowers and witnesses*, for example, through online reporting;
- *Ensuring transparency on how reports of sexual harassment are handled and reported*, while taking account of the need for confidentiality;
- *Avoiding nondisclosure agreements, as well as contract clauses on forced arbitration*, in order to empower the victim and ensure accountability of perpetrators; and
- *Providing protection, support and remedial measures for the victim*, including counselling and line-manager support; providing, where appropriate, compensation for material and non-material damages and reinstatement."

REFERENCES

¹ Balance of probabilities is the standard of proof required in most civil cases and in many family court determinations. It is standard in many domestic jurisdictions. The standard is met if the allegation is more likely to be true than not true. The standard is satisfied if there is greater than 50% likelihood that the allegation is true.

² 43rd Meeting of the UNAIDS Programme Coordinating Board Geneva, Switzerland, 11-13 December 2018, Decisions, pages 2-3

³ 43rd Meeting of the UNAIDS Programme Coordinating Board Geneva, Switzerland, 11-13 December 2018, Decisions, page 3

⁴ *Update on prevention of and response to harassment, including sexual harassment; bullying and abuse of power at UNAIDS Secretariat*, UNAIDS/PCB (EM)/2.2.rev1, page 3.

⁵ *Lead Your Culture. Or your culture will lead you*. Bill and Melinda Gates Foundation, 2016.

⁶ In January 2019, the UN Secretariat published a "Safe Spaces" report on sexual harassment in the UN system workplace on the basis of a survey to which approximately 30,000 UN system personnel responded, including UNAIDS colleagues. 1 in 3 respondents reported having been sexually harassed in the last two years.

⁷ "...implementing specific timeframes to ensure timely and diligent resolution." *Handbook: Addressing violence and harassment against women in the world of work*. p.64.

⁸ UN System Model Policy on Sexual Harassment, Chief Executives Board, October 2018
<https://www.unsystem.org/content/un-system-model-policy-sexual-harassment-0>

⁹ Under the present policy, the Committee may recommend: (i) closing the case with no further action if the evidence is insufficient or if the facts as determined by the investigation do not substantiate a finding that harassment occurred; (ii) closing the case with managerial action (e.g., training, counselling, change in functions, etc.); (iii) initiating disciplinary proceedings against the subject of an investigation (where the allegations appear to be well-founded and that the conduct in question may amount to harassment) or against the complainant (where s/he appears to have knowingly filed a false complaint or statement); and/or (iv) other appropriate action. HRM/IN 2016-2 Policy on the Prevention of Harassment and Global Advisory Committee, paragraphs 7.16-7.19 of the WHO Policy on the Prevention of Harassment, and paragraphs 1 and 4.9 of WHO Information Note 10/2013 on the Global Advisory Committee on future actions in harassment complaints.

¹⁰ Report of the Special Session of the Programme Coordinating Board Meeting, UNAIDS/PCB (EM/2.3).

¹¹ Merriam-Webster Legal Dictionary <https://www.merriam-webster.com/legal/standard%20of%20proof>

¹² Balance of probabilities is the standard of proof required in most civil cases and in many family court determinations. It is standard in many domestic jurisdictions. The standard is met if the allegation is more likely to be true than not true. The standard is satisfied if there is greater than 50% likelihood that the allegation is true.

¹³ Report on the work of the Independent Expert Panel on Prevention of and response to harassment, including sexual harassment; bullying and abuse of power at UNAIDS Secretariat, UNAIDS/PCB (43)/CRP1, page 53.

¹⁴ The Investigations Function in the d System, JIU/REP/2011/7, page 25.

¹⁵ The Investigations Function in the United Nations system, Note by the Secretary-General, A/67/140/Add.1, page 7.

¹⁶ Update on progress in the implementation of the MAP, UNAIDS/PCB (44)/19.6

¹⁷ Ethics in the United Nations, Joint Inspection Unit 2010, (JIU/REP/2010/3), page 12

¹⁸ Ethics in the United Nations, Joint Inspection Unit 2010, (JIU/REP/2010/3), page vi

¹⁹ Review of Whistle-Blower Policies and Practices in United Nations System Organizations, Joint Inspection Unit, 2018, p. xi (JIU/REP/2018/4)

²⁰ UNAIDS Evaluation Policy (UNAIDS/PCB (44)/19.7), May 2019

²¹ Terms of Reference, Working Group of the PCB to strengthen the PCB's monitoring and evaluation role on zero tolerance against harassment, including sexual harassment, bullying and abuse of power at the UNAIDS Secretariat, page 6.

²² PCB Bureau meeting notes, 7 May 2019, page 3.

²³ http://www.unaids.org/en/resources/documents/2018/PCB43_Decisions

²⁴ Including review and incorporate relevant broader UN-system wide policies, and relevant current UN reform efforts, related to eliminating and responding to harassment, abuse of authority

²⁵ Ethics in the United Nations System, Joint Inspection Unit, 2010, JIU/REP/2010/3
https://www.unjiu.org/sites/www.unjiu.org/files/jiu_document_files/products/en/reports-notes/JIU%20Products/JIU_REP_2010_3_English.pdf

²⁶ This is provided to make visible to PCB members good practice guidance with relation to United Nations Ethics Offices.

²⁷ This is included to provide information on the products expected from interagency work on strengthening investigations, which, when complete, will apply to the WHO/IOS, which serves the UNAIDS Secretariat.

²⁸ Handbook: Addressing Violence and Harassment Against Women in the World of Work, ILO and UN Women, 2019, pp. 61, 62 and 64. These lists are included as guidance on good practice issued by two UNAIDS Cosponsors, for comparison with what is recommended in the UNAIDS MAP.

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