



## Summary of the PCB Bureau meeting of 4 February 2008

**Present:** David Hohman (USA), Paul Spiegel (UNHCR, representing Cosponsors), Zonja Woods and Sonja Weinreich (both representing PCB NGOs) joined by phone

**Absent:** Mamadou Seck (Senegal)

**Excused:** Prangtip Kanchanahattakij (Thailand)

**UNAIDS Secretariat:** Debbie Landey (Deputy Executive Director), Paul De Lay (Director, EMP) and Eddy Beck (EMP)

The Bureau met to consider the letter from the Executive Director concerning the membership of the Oversight Committee.

The Executive Director, by his letter of January 31, raised his concerns about the independence of the Oversight Committee if its members included a representative of the Cosponsors, as the UNAIDS cosponsoring organizations are subject to the evaluation. As stated in paragraph 4.3 of the Decisions, Recommendations and Conclusions of the 21<sup>st</sup> Meeting of the UNAIDS Programme Coordinating Board, the PCB 'Agrees that the Second Independent Evaluation should focus on UNAIDS and its performance as a whole. This includes the Secretariat and the HIV-related work of all 10 Cosponsors'.

Given that the need to maintain the independence of the Evaluation had been stressed by all members during the discussions leading up to and during the PCB meeting in December 2007 and that UNAIDS cosponsoring organizations were also subject to the evaluation, the Executive Director believed a potential conflict of interest existed if Cosponsors had full membership of the Oversight Committee. The Executive Director regretted he did not identify this possible conflict of interest earlier, but believed strongly that this issue had to be addressed.

UNHCR, as the representative of the Cosponsors on the Bureau, reported that Cosponsors believed the PCB had made a deliberate decision at the Board in December to include the Cosponsors on the Oversight Committee. Cosponsors believe that their representation on the Committee would not constitute a conflict of interest and it would be advantageous for the Cosponsor representative to provide an historical perspective and observations on the operational architecture of the Joint Programme. As there would be only one Cosponsor representative among ten Committee members, that representative could assist the evaluation but not unduly direct it.

The NGO representative stated that the civil society delegation had discussed this issue amongst itself in preparation for the PCB meeting in December 2007. They believed there could be a perceived potential conflict of interest with a cosponsor representative

being a full member of the Oversight Committee, but had not voiced these concerns to the wider meeting at the time. However, with the release of the Executive Director's letter, these concerns had resurfaced and they agreed with the sentiment expressed in the letter of the Executive Director.

After extensive discussion the Bureau decided this matter should be taken back to the PCB members to consider the following three options:

(1) the PCB could re-affirm its decision at the 21<sup>st</sup> meeting that Cosponsors should be represented on the Oversight Committee

(2) the PCB could decide, in view of the Executive Director's concerns, that there is a potential conflict of interest and that Cosponsors should not serve on the Oversight Committee

(3) recognizing the potential positive assistance that could be provided by members of the Joint Programme, the PCB could decide both the Cosponsors and the Secretariat should have a liaison official who would work with the Oversight Committee. The terms of reference for the two liaison officials, who would not be members of the Oversight Committee, would be finalized by the Chair of the Oversight Committee. This option would facilitate the provision of relevant guidance and background information from both the Cosponsors and the Secretariat to the Oversight Committee and the Evaluation Team, while not being subject to a conflict of interest.

It was noted that the Cosponsors preferred Option 1. The NGO representative supported Option 2 but could also accept Option 3.

In view of the above information, guidance from PCB members was required for further action. The PCB Bureau thus decided to request PCB members to decide and indicate which of the three options they preferred.