

Consultation on the follow-up to the 2023 ECOSOC Resolution

Report prepared by the PCB Bureau

Additional documents for this item: N/A

Action required at this meeting—the Programme Coordinating Board is invited to:

- *Recalling* operative paragraph 23 of the 2023 ECOSOC Resolution on the Joint United Nations Programme on HIV/AIDS, “Requests the Secretary-General to submit to the Economic and Social Council, before its 2025 session, after consultation with the Programme Coordinating Board at its fifty-third meeting in December 2023, a report on the follow-up to the Council resolution 2021/26 on the Joint United Nations Programme on HIV/AIDS regarding the establishment of term limits and performance expectations for the position of the Executive Director of the Joint United Nations Programme on HIV/AIDS”;¹
- *Take note* of the report prepared by the PCB Bureau on the follow-up to the 2023 ECOSOC Resolution; and
- *Decide* that the PCB Bureau, following circulation to PCB members and participants for comments, transmits the summary of the consultation at the 53rd meeting of the PCB on the follow-up to the 2023 ECOSOC resolution E/RES/2023/85 to the Executive Office of the Secretary-General.

Cost implications for the implementation of the decisions: N/A

¹ [E/RES/2023/30 \(undocs.org\)](https://undocs.org/E/RES/2023/30)

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Introduction and background

1. In 2019, the United Nations Joint Inspection Unit (JIU) conducted a review of the management and administration of the Joint United Nations Programme on HIV/AIDS (UNAIDS).¹ As part of that review, the JIU included a recommendation encouraging the UNAIDS Programme Coordinating Board (PCB) to “open a dialogue with the United Nations Secretary-General on the term limit of the Executive Director and explicit performance expectations for the position to assist in providing more clarity and transparency on its expectations of the leadership of UNAIDS, and more certainty in succession planning.”²
2. In follow-up to the JIU review, the PCB established a working group to consider the recommendations.³ The final report of the working group,⁴ which met five times, was tabled at the 47th meeting of the PCB, held in December 2020, where the Board adopted a series of decisions⁵ aimed at strengthening the governance of the Joint Programme. In their consideration of the JIU recommendations and on the basis of legal counsel, the working group determined that the Secretary-General, as the responsible oversight authority for the Executive Director, was the appropriate party to consider the JIU’s recommendations related to term limits and performance expectations.
3. The full list of informal recommendations made by the working group can be found on the UNAIDS website. With regards to informal recommendation 7 on performance expectations for the position of Executive Director,⁶ the working group reviewed the practices of other UN entities⁷ and found that a number of agencies and organizations within the UN system have performance compacts in place which outline the performance expectations for executive heads.
4. In its resolution E/RES/2021/26⁸ from 2021, the Economic and Social Council (ECOSOC) requested that the Secretary-General “submit a report, after consultation with the Programme Coordinating Board, on the establishment of two four-year term limits and performance expectations for the position of Executive Director of the Joint United Nations Programme on HIV/AIDS, in line with the practices of the United Nations system and as recommended by the Joint Inspection Unit.”
5. In its resolution E/RES/2023/85⁹ from 2023, ECOSOC reiterated this request to the Secretary-General to “submit to the Council, before its 2025 session, after consultation with the PCB at its 53rd meeting in December 2023, a report on the follow-up to the 2021 ECOSOC resolution on the Joint United Nations Programme on HIV/AIDS regarding the establishment of term limits and performance expectations for the position of the Executive Director of the Joint United Nations Programme on HIV/AIDS.”
6. This report, prepared by the PCB Bureau and on the basis of a communication from the Secretary-General to the Chair of the PCB in April 2023 (included as an Annex), responds to the request from ECOSOC for a consultation with the PCB at its 53rd

¹ https://www.unaids.org/sites/default/files/media_asset/14112019_UNAIDS_PCB45_JIU_REP_2019_EN.pdf

² Ibid.

³ https://www.unaids.org/sites/default/files/media_asset/UNAIDS_PCB_Working_Group_TOR_recommendations-JIU_to_PCB_EN.pdf

⁴ https://www.unaids.org/sites/default/files/media_asset/PCB47_Report_JIU_PCBWG_EN.pdf

⁵ https://www.unaids.org/en/resources/documents/2020/PCB47_Decisions

⁶ https://www.unaids.org/sites/default/files/media_asset/PCB47_Report_JIU_PCBWG_EN.pdf

⁷ https://www.unaids.org/sites/default/files/media_asset/14112019_UNAIDS_PCB45_JIU_REP_2019_EN.pdf

⁸ <https://undocs.org/Home/Mobile?FinalSymbol=E%2FRES%2F2021%2F26&Language=E&DeviceType=Desktop&LangRequested=False>

⁹ [E/RES/2023/30 \(undocs.org\)](https://undocs.org/E/RES/2023/30)

meeting. It summarizes the role of the PCB in oversight and accountability of the Joint Programme, based on its founding ECOSOC resolutions and the recently amended PCB modus operandi.

The PCB's role in oversight and accountability of the Joint Programme

Mandate of the Programme Coordinating Board

7. The PCB serves as the governance body for the Joint Programme. The PCB is composed of 22 United Nations (UN) Member States, 11 UNAIDS Cosponsors, and representatives of 5 nongovernmental organizations (NGOs). The PCB establishes broad policies and priorities for the Joint Programme, in alignment with UN General Assembly resolution 47/199,¹⁰ which guides the operational activities of the UN Development System. To fulfil its mandate to review and decide upon the planning and execution of the Joint Programme, the PCB considers reports from the UNAIDS Executive Director and the Committee of Cosponsoring Organizations (CCO), as well as regular reports from the Joint Programme on issues such as strategy development and implementation, financial management, ethics reporting, evaluation, human resource management and risk management.
8. The PCB reviews and approves a plan of action and budget, prepared by the Executive Director and reviewed by the CCO, for each biennial financial period. With respect to financial matters, the PCB reviews proposals from the Executive Director, approves financing arrangements for the Joint Programme, assesses the financial implications of longer-term plans of action, and reviews audited financial statements submitted annually by the Joint Programme. The PCB makes recommendations to the CCO regarding their activities in support of the Joint Programme, including the mainstreaming of HIV-related activities in the operations and mandates of individual Cosponsors. The PCB also reviews periodic reports which evaluate the progress of the Joint Programme towards achieving its goals. Since its establishment in 2022, the UNAIDS Independent External Oversight Advisory Committee has supported the PCB's oversight role.

Oversight and accountability of the Joint Programme

9. In line with the founding ECOSOC resolution,¹¹ the objectives of the Joint Programme are as follows:
 - provide global leadership in response to the epidemic;
 - achieve and promote global consensus on policy and programmatic approaches;
 - strengthen the capacity of the UN system to monitor trends and ensure that appropriate and effective policies and strategies are implemented at the country level;
 - strengthen the capacity of national governments to develop comprehensive national strategies and implement effective HI activities at the country level;
 - promote broad-based political and social mobilization to prevent and respond to HIV within countries, ensuring that national responses involve a wide range of sectors and institutions; and
 - advocate greater political commitment in responding to the epidemic at the global and country levels, including the mobilization and allocation of adequate resources for HIV-related activities.

¹⁰ [Resolution adopted by the UN General Assembly on 11 May 1993, A/RES/47/199, New York. Available at <https://undocs.org/pdf?symbol=en/A/RES/47/199>](https://undocs.org/pdf?symbol=en/A/RES/47/199)

¹¹ [ECOSOC Resolution 1994/24](#)

10. The PCB is responsible for the oversight of the Joint Programme. As outlined in its modus operandi, the PCB is tasked with the following broad functions:
- establish broad policies and priorities for the Joint Programme, taking into account the provisions of General Assembly resolution 47/199;
 - review and decide upon the planning and execution of the Joint Programme. For this purpose, it is kept informed of all aspects of the development of the Joint Programme and it considers reports and recommendations submitted to it by the Executive Director and the CCO;
 - review and approve the plan of action and budget for each financial period, prepared by the Executive Director and reviewed by the CCO;
 - review proposals of the Executive Director and approve arrangements for the financing of the Joint Programme;
 - review longer-term plans of action and their financial implications;
 - review audited financial statements submitted by the Joint Programme;
 - make recommendations to the Cosponsoring Organizations regarding their activities in support of the Joint Programme, including mainstreaming activities; and
 - review periodic reports that evaluate the progress of the Joint Programme towards the achievement of its goals.
11. More than 25 years after the Joint Programme's founding, governance of UNAIDS remains aligned with the founding ECOSOC resolutions. During that period, the Joint Programme's governance has adapted alongside the evolving HIV epidemic and the changing needs of the Joint Programme. Changes in the governance of the Joint Programme have been aimed at enhancing the PCB's impact, clarifying oversight and accountability of the Joint Programme, and strengthening ownership by the Cosponsors.
12. In 2020, the PCB revised its modus operandi to clarify its roles and responsibilities and embed oversight and accountability mechanisms in the oversight of UNAIDS and its Secretariat through the addition of an annex.¹² The annex clarifies that the PCB is responsible for all issues within the UNAIDS Joint Programme relating to:
- strategy development and implementation,
 - resource allocation,
 - performance monitoring,
 - policy development and implementation,
 - financial management, and
 - risk management.

Formal role of the PCB vis-à-vis the Executive Director

13. As clarified in the PCB modus operandi's annex, the Secretary-General "holds the oversight responsibility for the Executive Director position whereas the PCB is responsible for the oversight of the UNAIDS Joint Programme."¹³ In this capacity, the Secretary-General is responsible for selecting and directly supervising the performance of the Executive Director.
14. The Secretary-General appoints the Executive Director of the Joint Programme upon the recommendation of Cosponsors and following a search process which is undertaken by Cosponsors, in consultation with governments and other interested parties. The

¹² <https://www.unaids.org/en/resources/documents/2020/modus-operandi-PCB>

¹³ Ibid, annex 4.

Executive Director reports to the PCB on the work and management of the Joint Programme and serves ex officio as secretary of the PCB, the CCO, PCB subcommittees and conferences organized by UNAIDS. The Executive Director also reports to ECOSOC via a biennial report which is submitted through the UN Secretary-General.

15. The PCB plays an important role in the process of selecting the Executive Director. For the selection of the current Executive Director, in 2019, the PCB established a search committee, composed of Member States, Cosponsors and NGO PCB representatives, and identified key competencies and experiences which the new Executive Director should possess. Those competencies included the following:

Strategic leadership

- Extensive experience—ideally more than 18 years—of successful management and leadership in complex public, private or international organization(s);
- A good understanding of the UN system and ability to lead efforts for a more effective and coherent UN response at all levels;
- Proven leadership, vision and strategic thinking with a proven track record;
- Clear vision on the current and future response to HIV, including in the most affected regions;
- Vision, understanding and strategic thinking on the challenges and opportunities that face UNAIDS;
- In-depth knowledge of the HIV epidemic and response as well as expertise and experience in promoting and commitment to public health, human rights, and gender equality;
- Knowledge and appreciation of vulnerable groups and those affected by the HIV epidemic;
- Strong analytical, creative and technical skills, experience, and ability to drive forward the agenda for epidemic control and effective use of available resources;
- Energetic leader with political skill set to effectively facilitate resource mobilization;
- Demonstrated commitment to promote involvement of people living with, or affected by HIV;
- Political and cultural sensitivity, as well as external representation skills, with proven ability to relate and work effectively and strategically within a multicultural environment;
- Excellent communication and advocacy skills at all levels, including with Heads of State, Ministers, heads of other UN agencies and international organizations, civil society and private sector organizations, as well as with the wider public;
- Proven ability to build trust and confidence and foster cooperation among a diverse set of constituencies;
- Demonstrated leadership in safeguarding integrity, accountability, and transparency;
- Understanding of governance processes at the international or national level; and
- Strategic thinking on ownership and engagement of partners and stakeholders on development issues.

Strategic management

- Competence in staff management and administration processes within international organizations, public or private sectors, NGOs or private foundations;
- Experience with managing support to country efforts to fast-track the AIDS response to end AIDS by 2030;
- Proven ability to effectively mobilize resources;
- Proven ability to delegate effectively;

- Proven ability to identify and nurture talent, to encourage diversity, and foster team work and team building;
- Excellent interpersonal skills, cultural and gender sensitivity and respect;
- Ability to manage organizational change and innovation, including leading transformation and reform processes in work culture;
- Ability to effectively address all forms of harassment, discrimination, bullying and abuse of power; and
- Commitment to implementing the core principles of the Joint Programme as articulated in the objectives of UNAIDS in ECOSOC resolution 1994/24 and, most recently, through the 2016 UN General Assembly Political Declaration on HIV/AIDS, the 2016–2021 UNAIDS Strategy, and the Unified Budget, Results and Accountability Framework (UBRAF), including the revised operating model of the UNAIDS Joint Programme.

International experience with health and development

- Experience in working on global issues;
- Excellent understanding of working in developing countries, including implementation challenges;
- Experience and knowledge related to HIV and/or public health at the international and national levels;
- Experience and knowledge of international development and public policy processes;
- Experience working with multiple, relevant sectors, such as international organizations, governments, NGOs, the scientific community and the private sector; and
- Strong language skills: ability to work in English and/or French. Knowledge of another UN official language would be an asset.

Communication from the Secretary-General on the proposed term limits and performance expectations for the UNAIDS Executive Director position

16. The UN Secretary-General is responsible for selecting (upon the recommendation of the Cosponsors) and directly supervising the performance of the UNAIDS Executive Director. In this capacity and in follow-up to the 2021 ECOSOC resolution, the Executive Office of the Secretary-General requested that the PCB Chair circulate the letter to the PCB to inform and support their consultation on follow-up to the 2021 ECOSOC resolution on UNAIDS regarding the establishment of term limits and performance expectations for the position of the Executive Director (see Annex).

Term limits

17. In line with the current established practice for senior appointments, the Office of the Secretary-General has informed the PCB through its Chair in April 2023 that the Secretary-General has decided not to establish term limits for the UNAIDS Executive Director position (see Annex).

Performance expectations

18. The Office of the Secretary-General welcomes feedback from the PCB in its role in overseeing the performance of the Joint Programme to help inform the performance expectations of the UNAIDS Executive Director.

19. In accordance with its role in overseeing the Joint Programme, the PCB is particularly invited to elaborate on the criteria that it uses to assess the performance of the Joint Programme.

PCB Bureau meeting on 9 October 2023

20. The PCB Bureau met on 9 October 2023¹⁴ to discuss the preparations for the 53rd PCB meeting, including the agenda item on the follow-up to the 2023 ECOSOC resolution. Further to that meeting, the PCB Bureau developed this paper to support the consultation.

21. For its discussion, the Bureau proposes that the PCB discuss ways in which the Secretary General could consider establishing performance expectations that would take into account the objectives of the Joint Programme as established by ECOSOC in 1995, the functions of the PCB and the Executive Director as articulated in the *modus operandi*, and the competencies for the role of the Executive Director as outlined in the above report.

Proposed decision points

22. The Programme Coordinating Board is invited to:

- *Recalling* operative paragraph 23 of the 2023 ECOSOC resolution on the Joint United Nations Programme on HIV/AIDS, “Requests the Secretary-General to submit to the Economic and Social Council, before its 2025 session, after consultation with the Programme Coordinating Board at its fifty-third meeting in December 2023, a report on the follow-up to the Council resolution 2021/26 on the Joint United Nations Programme on HIV/AIDS regarding the establishment of term limits and performance expectations for the position of the Executive Director of the Joint United Nations Programme on HIV/AIDS”;¹⁵
- *Take note* of the report prepared by the PCB Bureau on the follow-up to the 2023 ECOSOC resolution; and
- *Decide* that the PCB Bureau, following circulation to PCB members and participants for comments, transmits the summary of the consultation at the 53rd meeting of the PCB on the follow-up to the 2023 ECOSOC resolution E/RES/2023/85 to the Executive Office of the Secretary-General.

[Annex follows]

¹⁴ https://www.unaids.org/sites/default/files/media_asset/UNAIDS_PCB_Bureau_Summary_09102023_p.pdf

¹⁵ [E/RES/2023/30 \(undocs.org\)](https://undocs.org/E/RES/2023/30)

Annex: Letter from the Secretary-General

United Nations  Nations Unies

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EXECUTIVE OFFICE OF THE SECRETARY-GENERAL
CABINET DU SECRETAIRE GENERAL

19 April 2023

Excellency,

On behalf of the Secretary-General, I am writing with reference to resolution 2021/26 of the Economic and Social Council (ECOSOC) regarding the establishment of term limits and performance expectations for the Executive Director of the Joint United Nations Programme on HIV/AIDS (UNAIDS).

As you know, the United Nations General Assembly recognized that in exercising his authority as Chief Administrative Officer of the Organization, the Secretary-General has flexibility with regard to the appointment of senior leaders. To this end, the General Assembly specified that “the discretionary power of the Secretary-General for the appointment and promotion outside the established procedures should be limited to his Executive Office and the Under-Secretary-General and Assistant Secretary-General levels, as well as Special Envoys at all levels”. (Section II, paragraph 5, of resolution 51/226).

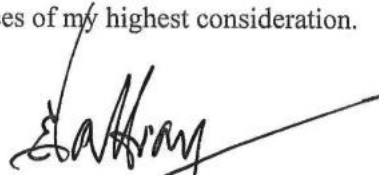
The Secretary-General exercises with great care the discretionary authority that is entrusted to him by the General Assembly and, in line with the current established practice for senior appointments, has decided not to establish term limits for the appointment of the UNAIDS Executive Director.

With regard to the performance expectations of the Executive Director, the Secretary-General is mindful of ECOSOC resolution 1994/24 on the establishment of UNAIDS, which states that the Executive Director “will report directly to the programme coordinating board, which will serve as the governance structure for the programme”. As such, the Secretary-General would be grateful to receive information from the PCB on the exercise of its role in overseeing the performance of the Executive Director.

Her Excellency
Ms. Antje Leendertse
Permanent Representative of Germany
to the United Nations
New York

I would be grateful if this information could be shared with the members of the
UNAIDS Programme Coordinating Board for their feedback.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'E. Courtenay Rastray', with a long horizontal stroke extending to the right.

E. Courtenay Rastray
Chef de Cabinet

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