



Notes from the tenth meeting of the 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 UNAIDS

DATE: 7 June 2019

VENUE: Teleconference

OPENING OF THE MEETING

1. The Chair opened the meeting. The purpose was to develop a way forward on the Working Group's paper to the PCB, given some of the objections expressed about aspects of the paper.

WORKING GROUP PAPER FOR THE 44TH PCB SESSION

2. The Chair noted that one representative was not present and had not attended the previous two meetings as well. An apology had been received for today's meeting. She said, the representative had also indicated via email that his constituency did not agree with elements of the draft PCB paper, specifically those related to issues of governance. In addition, it did not agree on recommending that the Working Group be extended. However, if need be, it may agree to a different Working Group being set up.
3. The Chair expressed concern that consensus in the Working Group was not emerging on certain issues. One member said that more time was perhaps needed to reach agreement, since not reaching agreement would not be helpful for the Secretariat.
4. It was suggested that one option was for the PCB paper not to mention the Independent Expert Panel (IEP) at all, given the sentiments of some PCB members about the IEP report. However, the Working Group's Terms of Reference explicitly refer to the IEP. It was suggested that the best way forward may be to take more time to try and resolve any outstanding matters in search of consensus.
5. The Director of Governance and Multilateral Affairs, UNAIDS, suggested practical ways to continue consultations while avoiding distributing the PCB paper too late ahead of the PCB session.
6. The Chair said that some of the contentious issues could be dealt with via editing, but added that she was concerned this not may be enough to achieve consensus from the entire Working Group. She asked whether an informal approach to the constituency may be possible to determine whether its potential agreement with the paper was a realistic expectation. The Director of Governance and Multilateral Affairs described the protocols involved.
7. The Chair asked the meeting whether it was willing to endorse changes to the paper if this led to consensus agreement on the PCB paper.
8. Members emphasized that it was important to be able to discuss the issues raised by the constituency with its representative, who unfortunately was not in attendance. There was hesitancy about removing key language from the paper, which the rest of the Group had agreed to after lengthy debate. At the same time, members felt it was important to present the PCB with a report that reflected consensus in the Group. Members said a repeat of the divisions that had emerged at the December 2018 PCB session had to be avoided, if possible.
9. Members agreed on the need to achieve consensus, but some added that it would be unfortunate if this meant removing reference to governance issues from the paper. Speakers said there was a lack of clarity about the exact nature and extent of the constituency's disagreement with the references to governance in the paper. At the same time, they felt it would not be fair to other delegations to open a separate discussion with one specific delegation.

10. Another option suggested was to present a "factual account" which might describe the different opinions in the Working Group on issues eluding consensus. The contentious sections could then be moved to an annex. The report could then clearly state that there was not consensus in the Working Group on the issue. However, there would have to be consensus agreement to the rest of the paper.
11. Members said they had no objection to another Working Group being set up, though doing so would entail delays, which was not desirable. If a new group was set up, it would be important to maintain some continuity to avoid losing the valuable progress made by the current Group.
12. The Chair summarized the discussion. Members felt that having a report reflect consensus was important enough to negotiate around the elements of concern, she said, if it was willing to agree to the rest of the paper. There was some support for approaching the constituency, though there were concerns about negotiating with only one constituency.
13. The Director of Governance and Multilateral Affairs said that the Chair of the Working Group would have to approach the constituency via its Working Group representative. But the final paper would have to be posted no later than 6 working days ahead of the PCB session.
14. There was discussion about the practical timelines for developing the final version ahead of the final deadline.
15. The Chair described some of the specific edits she proposed to make to the paper, based on the discussions thus far, and put this to the meeting for discussion.
16. Members agreed with the approach proposed by the Chair. A member added that it nonetheless was desirable for the constituency to share with the rest of the Working Group its concerns and views regarding the paper. Members again expressed concern that there should be no separate, parallel negotiations with any one delegation. Members stressed the need to devise a clear way forward.
17. Summarizing the discussion, the Chair said the next step would involve her approaching the Working Group representative of the constituency to ask whether the Group was willing to endorse the paper if the proposed changes were made to the paper. However, she continued, if the representative could not confirm that the delegation would endorse the paper (subject to the proposed changes), the Chair would ask whether the representative was open to an approach to the constituency via its health Chair to determine whether it was willing to support the rest of the paper if the changes were made. The Director of Governance and Multilateral Affairs outlined practical, protocol-related details for proceeding along such lines.
18. A member asked whether the approach did not indeed imply separate negotiation with one of the constituencies (and not the others). It would be desirable, he said, if the representative of the delegation would also brief the Working Group on its position, given that the representative had not attended the three most-recent meetings of the Working Group.
19. Regarding a new Working Group, the feeling was that it would be preferable if some of the current members were retained for the sake of continuity and institutional memory.

20. The Chair said the next step would be speak to the representative, without engaging in an in-depth discussion with the full constituency, in order to avoid opening deep discussion on the entire scope of the paper with one delegation and not with others.

WRAP-UP

21. The Chair thanked the meeting for the discussion and said she would inform the Group of progress.
22. The meeting was closed.

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