



What happened at the 29th meeting of the UNAIDS Programme Coordinating Board (PCB) in Geneva, Switzerland, December 13-15, 2011?

Summary:

The main focus of the 29th board meeting of UNAIDS was: 1. financial sustainability of the HIV response; 2. HIV and legal environments; and 3. how UNAIDS has addressed the recommendations made in the Second Independent Evaluation (SIE), which evaluated the work of UNAIDS between 2004 and 2009.

1. Following the cancellation of Round 11 during the Global Fund (GF) board meeting at the end of November 2011, just prior to the UNAIDS board meeting, funding considerations took centre stage in the pre-meetings of the NGO Delegation with Member States as well as in interventions on the floor. Donor Member States consistently stayed on their message of strongly supporting the new strategy of the GF and stressing that the Fund is not in financial trouble and no existing programs will be cut. The NGO Delegation focused on the Investment Framework and funding of the Global Fund to get Round 11 back on track in its interventions, as well as probing more about the [Transitional Funding Mechanism](#) being put in place to support current grants until 2014. Michel Sidibé called for a stronger Global Fund. There was a lot of interest in the [Investment Framework](#), with the NGO Delegation and Member States pointing out a need for further consultation and discussion on this tool. The board passed a decision point asking UNAIDS "to launch as soon as possible a process of inclusive consultations to consider approaches to strategic investment, including the new investment framework for the global HIV response" and to report back on progress at the next two board meetings (June and December 2012).

2. The preparation for the meeting was dominated by the topic of HIV and the legal environment, introduced in the [annual NGO report](#) on the first day of the meeting and discussed in further detail during the thematic session on the last day. Several Member States were concerned about the strength of the decision points put forward by the NGO Delegation prior to the meeting, which called on states to work to repeal criminal laws around HIV exposure, non-disclosure and transmission, as well as homosexuality, sex work and drug use, and to ensure sexual and reproductive health rights, including safe abortions. There was concern from some Member States to the NGO Delegation that they could not accept some of the decision points concerning abortion and decriminalization of sex work and drug use, and therefore could not accept the report. In a negotiated strategy, the NGO Delegation withdrew all the decision points and presented its full report with [recommendations](#) that incorporated the decision points, gaining support from the majority of Member States on the board. The NGO Delegation will have the opportunity, as part of the follow-up to the thematic session on HIV and the law, to reintroduce and advocate for decision points in the June 2012 meeting.

The political tone of the discussion around human rights, following the [presentation of the NGO report](#), continued to be divisive. Unlike the last board meeting, when the African Member States split in opinion and approach, Egypt seemed to lead a solid African block of Member States. The [opening video](#) presented by the NGO Delegation and overwhelmingly supportive statements at the start of the discussion around the NGO report may have contributed to more neutral responses from the African Member States, who were expected to reject the NGO report outright, but did not.

3. The board heard the final report back on the [Second Independent Evaluation](#) of UNAIDS. The board accepted that the majority of recommendations had been implemented, but the NGO Delegation requested more work on these areas: [technical support strategy](#); [development and inclusion of indicators](#) regarding civil society engagement and gender in the new UNAIDS budget and monitoring tool; and the [guidance document](#) for partnership with civil society. The board has requested progress reports on indicators and the technical support strategy for the next meeting.

The NGO Delegation had been working with the UNAIDS Secretariat to develop a consistent and measurable way to assess how the Joint Programme, across all the Cosponsors and Secretariat, works with civil society. The NGO Delegation noted the progress in this work but insisted on the need to further develop indicators that can be measured in the UNAIDS budget and accountability framework.

The NGO Delegation worked in partnership with the iMAXi Cooperative and social media experts from across a range of constituencies in civil society to bring further transparency to UNAIDS board's decision-making and the work of the Delegation itself. A network of civil society via Facebook, [Twitter](#) and blogs helped to bring the stories of civil society alive, not just in the board room but also to the many interacting with the event [through social media platforms](#). This sharing of information in real-time enabled wider participation. Thank you to all who participated virtually, especially Raheem Janmohammad, member of INPUD and the Afghan Drug User's Group in Afghanistan.

The participation and support shown by the civil society Observers at this meeting was essential and exceptional. The NGO Delegation would like to commend and thank you for the excellent interventions made and the power you brought to the room. All interventions can be found on our website. The attitude and support on the floor of the meeting was set by your presence. The increasing participation of Observers in the board meetings strengthens the work and accountability of the NGO Delegates.

THANK YOU to the civil society Observers who supported the NGO Delegation!

Agenda Items:

Report from the Executive Director: [Getting to Zero: Time to Shape our Destiny](#)

The Report by the Executive Director (ED) highlighted the positive progress on human rights and HIV in countries' internal and external policies. Yet, this was, in the end, overwhelmed by the focus on the decrease in HIV funding and the need to move forward on alternative ways of financing including a Financial Transaction Tax, private partnerships and encouraging national investments in HIV. UNAIDS committed itself to a new Investment Framework to see where the most impact can be made and to increase support to high-impact countries. The ED also announced major changes within UNAIDS in their attempt to reduce expenses by 20-25% in the next biennium. Following the completion of a functional review, UNAIDS will significantly scale down human and other resources in its Secretariat in Geneva in order to allocate resources to regional and country offices.

In response to the ED's report, the NGO Delegation [expressed disappointment](#) that, barely six months after the groundbreaking commitments and clear targets set in the [2011 Political Declaration](#), the global AIDS response finds itself in an environment of financial uncertainty, following the announcement by the Global Fund board to cancel the next round of funding and exclude numerous countries from benefitting from the [Transitional Funding Mechanism](#). The NGO Delegation stressed the importance of exploring innovative funding mechanisms such as the Financial Transaction Tax, as well as looking more at the Investment Framework that was referenced in the ED report and in various board papers.

The NGO Delegation also called on UNAIDS to exert strong leadership with global donors and supported the call from the United Kingdom, China, the United States and other Members States to donor countries to honour their commitments to fully fund the Global Fund and their financial commitments to overseas development assistance and universal access to HIV prevention, treatment, care and support. In particular, they called on the UNAIDS Secretariat to support efforts to raise an additional \$2 billion for the Global Fund, possibly by hosting an emergency donor meeting in advance of the International AIDS Conference in 2012. They also backed a parallel strategy, as indicated by Sweden, Poland and Canada, to sensitize countries to the process of GF cuts, the Transformational Funding Mechanism or the need to re-strategize in light of the loss of Round 11.

The NGO Delegation [also commented](#) on UNAIDS' use of social media for engagement with young people in the initiative of [CrowdOutAIDS](#). They cautioned that online consultation cannot replace planned engagement to make sure that the needs of young key affected populations are reflected in the New Generation Leadership strategy to be developed.

To learn more about the Investment Framework, please follow our links to the [Lancet article](#) and [slideshow overview](#).

[Report by the NGO representative](#)

The NGO Delegation presented its annual report, strategically focusing on HIV and the law. The key findings of the report:

- HIV-related stigma creates an environment for punitive, rather than protective, laws.
- Punitive laws and policies undermine HIV responses by discouraging both access to HIV-related services and HIV-service utilization.
- Legal protections are insufficient or unenforced; experience of law enforcement is negative.
- Individuals do not know their rights.

Led to a set of recommendations:

- Support anti-stigma and HIV education campaigns to increase and enforce protective laws.
- Oppose and repeal laws that criminalize HIV non-disclosure, exposure or transmission, homosexuality, gender variance, sex work and drug use, and that violate sexual and reproductive rights.
- Foster protective laws and knowledge of protective laws and human rights within the justice system.
- Support and promote programmes to know your rights/laws and access justice.

The Delegation opened with a [video presentation](#) of the report presenting the stories and perspectives of individuals and organizations from around the world and highlighting the recommendations. After supportive comments from the majority of Member States, some [civil society Observers gave interventions](#) supporting the report from the floor. Member States such as Egypt, Zambia and Zimbabwe raised questions on the methodology of the report and the role of civil society at the board in bringing forward substantive issues for decision. The report was noted by the board, and thus, the Delegation has laid the groundwork for follow up discussions and potential decision points, emanating from the thematic session on HIV and the law on the last day of this meeting, in June 2012.

[Follow-up to the 2011 UN General Assembly High Level Meeting on AIDS](#)

The UNAIDS Secretariat [reported on](#) the follow up to the High Level Meeting (HLM), noting the leadership role of UNAIDS and the need for innovative financing and synergies of the High Level Political Declaration with the UNAIDS strategy. The NGO Delegation welcomed the report and inclusion of key populations in the 2011 Political Declaration, but [noted with concern](#) the exclusion of transgender persons. They reminded the board that “no one can be left behind if we are to achieve

the three zeros in 2015.” The Delegation [called for](#) continued and increased investment in the research and development of new prevention options including an HIV vaccine, female condoms and more. Concern was expressed that the report put great emphasis on middle-income countries as a potential new donors while de-emphasizing the role of donor countries instead of urging them to fully meet their commitments, including providing funds for development, international aid and HIV and AIDS.

The Delegation [also intervened](#) on Trade-Related Aspects of Intellectual Property Rights (TRIPS) flexibilities. The Delegation stated that UNAIDS can play multiple roles in this field: protect access to medicines and the right to health by promoting anti-competition laws; generate evidence-based assessments of prospective trade agreements; use its influence to promote the adoption of regulatory environments that facilitate South-South cooperation and technology transfer; and help governments to develop capacity to implement public health-sensitive intellectual property policies to make full use of TRIPS flexibilities.

The Delegation [welcomed](#) explicit language on the elimination of gender inequality and gender-based violence in the Political Declaration, along with the momentum and specific language to increase the capacity of women and girls to implement new approaches to accelerate gender equality and achieve the Millennium Development Goals 3, 5 and 6. The development of an essential package of HIV and sexual and reproductive health and rights interventions, to be launched in 2012, was highlighted as a positive contribution to protect women from HIV.

They also [noted](#) the repeated reference to the Investment Framework in the report, and, while supporting the principles at its foundation (i.e., targeting resources to key populations, supporting evidence-based interventions, and keeping a focus on critical enablers including the social determinants of HIV), pointed out that the framework requires refinement.

The Delegation [emphasized](#) the need for qualitative indicators in the national and global progress reports and encouraged UNAIDS to call for regional universal access consultations in 2014 in order to help galvanize political momentum for the 2016 Millennium Development Goals (MDG) review and to assess the progress toward the achievement of the goals made so far. Some governments expressed concerns about the lack of funds to convene regional meetings, but the NGO Delegation will continue to raise this point.

[Progress report on the Global Plan Towards the Elimination of New HIV Infections Among Children by 2015 and Keeping their Mothers Alive](#)

The NGO Delegation [welcomed](#) the [progress report](#) and urged the board to fully fund and accelerate the implementation of the Global Plan in order to start activities at country-level early in 2012 to be on track to eliminate vertical transmission of HIV by 2015.

While acknowledging commitment to ensure community involvement, the Delegation [noted](#) that many people remain unaware of the Global Plan or have limited understanding of its goals, and some women living with HIV participating in technical working groups felt that their presence was tokenistic.

The NGO Delegation encouraged UNAIDS to show how the Global Plan will be funded in light of the cancellation of Round 11 and to incorporate financial resources to support the capacity building of communities, particularly communities of people living with HIV, to enable full and effective participation in all elements of planning and implementation of the Global Plan. The NGO Delegation also suggested that the term PMTCT always be replaced by “vertical transmission”.

Second Independent Evaluation of UNAIDS

UNAIDS [reported back](#) on outstanding work resulting from the last evaluation of UNAIDS. Specifically, the work of the Cosponsors and the Global Coordinators was amended in their modus operandi to ensure that there was accountability between the decisions made by the PCB and the governing bodies and results frameworks of the Cosponsors. Other outstanding areas included: the partnership strategy with civil society (now underway as a guidance note); the completion of a technical support strategy; the Unified Budget, Results and Accountability Framework (UBRAF); and strengthening of human rights and gender capacity at country level.

The NGO Delegation [noted with appreciation](#) efforts to include more explicit indicator-based reporting by the Secretariat and Cosponsors on the resourcing and engagement of civil society within the UBRAF. They also noted the commitment of the Secretariat to work with civil society to ensure that adequate indicators are developed.

The Delegation [encouraged](#) UNAIDS to consider the need for qualified staff in the area of gender and human rights in the upcoming staff changes, particularly at regional and national levels. In addition, the evaluation recognized the lack of consensus among UNAIDS on controversial, human rights-related issues; thus the Delegation urged UNAIDS, through the implementation of the new Strategic Plan, to be more consistent in highlighting the human rights of people living with HIV, key populations at higher risk of HIV, women and other communities affected by HIV and AIDS.

The Delegation [welcomed](#) the development of guidance for partnerships with civil society and looked forward to its implementation in the context of UNAIDS Strategy 2011–2015, supported by the UBRAF as well as other key UNAIDS programming and budgeting documents. This will allow UNAIDS to meet the intent of the original decision point to have a coherent, measurable way of working with civil society. Additionally, the NGO Delegation welcomed the opportunity for continued engagement on the implementation and review of the guidance.

The Delegation also [expressed appreciation](#) for the staff association report and encouraged the Secretariat to continue its open, transparent way of communicating during the transformation of the organization. This will ensure that UNAIDS is adequately staffed to carry out its mandate as outlined in the new Strategic Plan, reinforcing the need to incorporate staff with capacity to work on gender and human rights.

UNAIDS Results, Accountability and Budget Matrix (UBRAF)

UNAIDS [presented](#) the revised indicators to the UBRAF. The NGO Delegation [praised](#) the inclusive process that led to these revisions and welcomed the focus on indicators of civil society participation and measurable outputs and outcomes regarding human rights and gender equality, despite the comment that more work was still needed in some of these areas.

The NGO Delegation [supported](#) a call for case studies of best practices to be highlighted in the first annual review of the UBRAF. The United States introduced and the board passed a [decision point](#) asking UNAIDS to report on changes to indicators and developments concerning the Monitoring and Evaluation Reference Group in the next PCB meeting.

UNAIDS Technical Support

The technical support strategy that came to the board at the 27th PCB was reviewed as needing more concrete action and clearer monitoring, and an updated strategy was requested for this board meeting. The [progress report](#) that came to the board at this meeting was also not considered adequate. Therefore, the [board requested](#) a time-limited, consultative process to better define the UNAIDS technical support role at the next board meeting.

The NGO Delegation [specifically requested](#) more information about evaluations being undertaken to validate UNAIDS technical support and stronger linkages amongst technical support, capacity development and targeted responses at country-level.

Next meetings

The theme of the next thematic meeting in December 2012 will be non-discrimination.

The dates for the 34th meeting are 17-19 June 2014 and the 35th meeting are 9-11 December 2014.

Election of Officers

With no other candidates put forward, Poland was elected as Chair, India as Vice-Chair and the United States of America as Rapporteur for the calendar year beginning 1 January 2012.

The new Programme Coordinating Board NGOs were approved: [African Sex Worker Alliance](#), South Africa; [International Treatment Preparedness Coalition \(ITPC\)](#), Thailand; and [Gestos](#), Brazil. They will replace the [Aids and Rights Alliance of Southern Africa \(ARASA\)](#), Namibia; [Asia Pacific Network of Sex Workers \(APNSW\)](#), Thailand; and [Corporación Kimirina](#), Ecuador.

Thematic segment: HIV and Enabling Legal Environments

The thematic day started with some preparation time in groups, and then was carried out in plenary hearings around three aspects of enabling legal environments: the law, law enforcement and access to justice. Two Commissioners from the Global Commission on HIV and the Law, Michael Kirby and Prasada Rao, presided, and Riz Khan, a journalist who has worked with the BBC, CNN and Al Jazeera, moderated. Many Member States, civil society Observers, members of the UNAIDS Human Rights Reference Group as well as Delegates gave [powerful testimonies](#) which supported the findings of the NGO report. All civil society Observers' testimonies can be [found on the Delegation website](#), including video from [Robert Suttle](#) and [Nick Rhoades](#) talking about their own prosecutions for HIV non-disclosure.

Side meetings

Report of the UNAIDS Advisory Group on HIV and Sex Work

Incoming NGO Delegate for Africa, Mickey Meji, joined other speakers to officially launch the report on HIV and sex work, which complements the 2009 UNAIDS Guidance Note on HIV and Sex Work. The report makes a number of recommendations for action in the areas of: the legal and policy environment and the rights of sex workers; shifting the strategic focus from reduction of demand for sex work to reduction of demand for unprotected paid sex; differentiating sex work and trafficking; and economic empowerment.

Global Fund

Dr. Akram Ali Eltom, Director of Partnerships Unit of the Global Fund, presented a framework, including clarifications, key features and timelines, of the [Transitional Funding Mechanism](#) (TFM) - an emergency funding model, which replaces Round 11, to provide funding for the continuation of essential prevention, treatment and/or care services. The discussions centred on what constitutes "essential services" - a concept on which grant decisions will be made. Applicants have until 31 March 2012 to submit their proposals. All relevant documents can be found on the [Global Fund website](#).

The NGO Delegation raised questions about the impact of the TFM on the continuation of the work carried out by civil society currently supported by the GF. The Delegation recognized the significant role UNAIDS will play at both global and country level as a technical partner in the next few months

when grants will be re-programmed and re-negotiated. The Delegation also reached out to the civil society representatives on the Global Fund board to suggest it convenes an emergency meeting with technical experts, including external partners and civil society, to come to an agreement on the definitions of the “essential” and “non-essential” services.

Next month, [Civil Society Action Teams](#) across the globe will convene a strategy meeting to discuss how technical support can be better delivered to civil society organizations under the new framework.

INPUD

The International Network of People who Use Drugs ran a side meeting on “HIV, Drug Use and the Legal Environment” which extended the conversation started in the NGO report. Speakers from Russia and Afghanistan described two extreme examples, and set against a story of hope from Portugal, where changes in drug policy have led to a reduction in HIV rates by more than 50%.

CAPRISA

Dr. Quarraisha Abdool Karim and Dr. Salim Abdool Karim of the Centre for the AIDS Programme of Research in South Africa (CAPRISA) [presented their trial results](#) of a microbical HIV gel for women and spoke about other potential treatments as prevention.

[CrowdOutAIDS](#)

CrowdOutAids is a collaborative project aimed at generating input from young people for the development of the New Generation Leadership Strategy of UNAIDS. The project include moderated online and offline policy forums held in 7 languages. Divided into 4 phases - Connect, Share, Find and Collective Action - the project is now entering its third phase, with more than 20,000 young people involved in the discussions from its inception and 250 youth-led organizations committed to implementing the new strategy. A summary of policy discussions is anticipated to be released at the end of January 2012.

Reminder: What is the PCB again?

The Programme Coordinating Board (PCB) is the governing body of UNAIDS. It is made up of 22 voting Member States, the 10 UN Cosponsors that make up the UNAIDS program, and an NGO Delegation (consisting of one delegate and one alternate from each of 5 regions). Please visit our website at: www.unaidspcbngo.org to see all presentations, [decision points](#) and talking points.