

REPORT OF THE 12TH MEETING OF THE UNAIDS INDEPENDENT EXTERNAL ADVISORY OVERSIGHT COMMITTEE (IEOAC)

Date: 30 October 2023

Venue: Virtual

PARTICIPANTS

Committee Members: Mr Saad Bounjoua, Ms Agnieszka Golebiowska, Mr David Kanja (Chair), Ms Bushra Malik, Mr Ibrahim Pam, Ms H el ene Rossert (Vice Chair)

Secretariat: Ms Winnie Byanyima, Executive Director; Mr Morten Ussing, Director of Governance and Multilateral Affairs; Mr Kodo Ngabane, Governance Officer

The Independent External Oversight Advisory Committee (IEOAC, or Committee) met virtually with the Executive Director to discuss the Committee's findings and advice from its 11th meeting. The IEOAC Chair presented the advice from the 11th meeting (see attached presentation), after which the Executive Director and Committee members engaged in a dialogue regarding this advice.

The Executive Director expressed appreciation for the work undertaken by the IEOAC in its first two years and committed the Secretariat to support the efforts of the IEOAC to fulfil the mandate outlined in its Terms of Reference. The Executive Director asked the Committee, in formulating its recommendations, to take into account the Secretariat's capacity limitations as a small United Nations body, and Committee members assured the Executive Director that the IEOAC would continue to do so.

The Committee noted that senior Management leads have been designated for the top organizational risks, but that clear plans to mitigate each of these risks had yet to be provided. The Executive Director committed to the finalization of risk mitigation plans and to providing these plans to the IEOAC for their review.

The discussion between the Executive Director and the IEOAC also focused on the increase in allegations of sexual exploitation, abuse and harassment against UNAIDS staff, as reported by the WHO Office of Internal Oversight Services (WHO/IOS) at the Committee's 11th meeting. The Executive Director said she had expected to see an increase in allegations of sexual exploitation and abuse, given Management's visible commitment to a zero-tolerance approach. She said that Management would remain vigilant in monitoring these issues.

The recent turnover in the UNAIDS Ethics Office was discussed. The Executive Director agreed that the IEOAC should have been informed of the departure of the previous Ethics Officer from the Secretariat, and she committed that UNAIDS will keep the Committee abreast of any future departures of key staff who report to the Committee under the IEOAC Terms of Reference.

The Executive Director agreed with the IEOAC that the whistleblower hotline should not be housed in the Ethics Office. The Executive Director said that Management was exploring the optimal place for the whistleblower hotline, consistent with the culture transformation being undertaken within the Secretariat.

Outstanding recommendations from the UN Joint Inspection Unit (JIU) were discussed. The Executive Director agreed with the IEOAC's finding that there were ongoing efforts within the Secretariat to identify the JIU recommendations that are obsolete. She also said that

Management was exploring strategies for managing the backlog. The Committee has recommended a one-time allocation (or reallocation) of junior resources to clear the backlog of JIU recommendations.

The Executive Director discussed the challenges of addressing cybersecurity issues in the context of a declining UNAIDS budget. She noted that UNAIDS is exploring the outsourcing of cybersecurity management to a team of external experts rather than the hiring of a single person internally, and she invited the Committee to provide advice on that approach, including the kinds of entities that might best aid UNAIDS in handling cybersecurity issues.

Committee members discussed the difficulties in preparing for meetings when key Secretariat inputs for these meetings arrive at the last hour. The Executive Director agreed with the IEOAC's request that Secretariat inputs for Committee meetings be provided at least 10 days prior to the meeting date.

The meeting was adjourned.

Annex 1 - Presentation of advice from the 11th meeting

Independent External Oversight Advisory Committee

11th Meeting
30 October 2023

Preliminary observations and recommendations

Interactions with UNAIDS management

- The Committee welcomes the face-to-face meeting with the Executive Director at this meeting and looks forward to future opportunities to interact with the Executive Director and with the Deputy Executive Directors.

Management response to MOPAN report

- The IEOAC looks forward to a robust Management response to the MOPAN assessment. Responding meaningfully to MOPAN findings and recommendations supports effective management of relationships with key donors.

Financial situation and resource mobilization

- The Committee regards the financial situation as one of the top risks facing the Joint Programme.
- The IEOAC has not received operational plans and key performance indicators for the Resource Mobilization Strategy. The Committee looks forward to receiving these.
- Future reports to the IEOAC on the financial situation and resource mobilization efforts should include substantial detail, including progress towards the key performance indicators for the Resource Mobilization Strategy.

WHO Office of Internal Oversight Services (1/2)

- The Committee is concerned with the adequacy of audit coverage for UNAIDS in 2022-2023. The Committee looks forward to receiving a 2024 audit plan based on a robust risk assessment.
- The external quality assessment of the WHO/IOS internal audit function by KPMG should include a sample (at least two) of UNAIDS audits.
- WHO/IOS should continue to provide all final UNAIDS internal audit reports to the IEOAC in a timely manner.

WHO/IOS (2/2)

- The Committee recommends that WHO/IOS undertake an external quality assessment of its investigation function.
- The Committee requests WHO/IOS to share information with the IEOAC and UNAIDS management on the dates, gravity and potential risks related to the 39 allegations that WHO/IOS closed during 2023, with due regard for confidentiality.
- Management should identify and address the causes for the increase in reported allegations of sexual exploitation and abuse, sexual harassment and retaliation during 2023.

External Audit Function

- The Committee recommends that the External Auditor establish priority ratings for implementation of UNAIDS audit recommendations (high, medium, low).
- The Committee recommends that the External Auditor continue to engage with WHO/IOS to identify opportunities to optimize audit coverage.

Enterprise risk management

- The Committee recommends that Management complete mitigation plans for the top risks facing the organization and share with the IEOAC and recognizes that extensive discussions of risks are already occurring among senior management.
- The Committee will further follow up on several issues during future meetings:
 - The extent of implementation of the current risk management framework.
 - The alignment of the risk management committee's activities with its TOR.
 - The role of the Operations Committee in risk management.
 - Whether the communication between the risk management function and the executive committees is in line with the risk management framework.

Statement of Internal Controls

- The Committee recommends that Management arrange for periodic independent validation (including one in 2024, to include at least three country offices) of the information provided through the Internal Control assessment process.
- The Risk Management Committee should review the results of the Statement of Internal Control exercise.

Ethics function

- The Committee understands that there is an interim arrangement for the staffing of the Ethics Office. The Committee encourages management to act as quickly as possible to ensure permanent, ongoing staffing of the office.
- The Committee recommends that it be informed by Management when an officer, such as the Ethics Officer, who is responsible for a sensitive area related to the mandate of the IEOAC separates from the organization as well as the circumstances associated with the departure.
- The Committee reiterates its recommendation that management consider the capacity of the Ethics Office to fulfil its functions.
- Management should consider transferring responsibility for the whistleblower hotline from the Ethics Office to WHO/IOS.

JIU reports and follow-up

- The Committee notes that UNAIDS is currently reviewing and working to implement pertinent recommendations from JIU reports that have been published in 2023. The Committee encourages management to continue its work to develop a mechanism for the ongoing and timely review and implementation of JIU recommendations.
- The Committee takes note of efforts currently underway to identify JIU recommendations that are obsolete and requests that management report to the IEOAC regarding progress in this regard.
- Towards clearing pending JIU recommendations, the Committee encourages management to consider a reallocation of resources or the hiring of junior resources to undertake a time-limited review and address the backlog of JIU recommendations.

Cybersecurity, information security and ERP implementation

- The Committee finds that the absence of a comprehensive and well elaborated business continuity plan is a risk for UNAIDS. The Committee recommends that Management document a set of procedures to respond in cases of disruption, including but not limited to a cybersecurity attack.
- The Committee recommends that Management map, identify and classify sensitive data in the organization's possession and develop appropriate measures to protect all sensitive data.
- The Committee will be closely monitoring the implementation of the new ERP system.
- The Committee recommends that Management proactively engage with WHO to understand the functionalities of the new ERP system's project management module. The External Auditor has made a similar recommendation to WHO.

Preparation for future meetings

- The Committee has committed to finalize future meeting agendas at least one month prior to the concerned meeting dates.
- The Committee requests that all meeting materials and presentations for future meetings be provided to the IEOAC at least 10 days prior to the relevant meeting dates. This will enable the Committee's subject-matter focal points to work with UNAIDS staff to make needed adaptations or improvements to meeting materials to maximize the utility of future meetings.

IEOAC in 2024

- The Committee elected H el ene Rossert as Chair for 2024 and Benoit de Schoutheete as vice chair.
- The proposed meeting schedule for the IEOAC in 2024 is as follows:
 - Virtual meeting on 13 February 2024
 - In-person meeting on 20-22 May 2024
 - In-person meeting on 16-18 October 2024