Introduction

1. The UNAIDS Strategy 2011-2015 “Getting to Zero” makes human rights and gender equality one of the three strategic directions of the Joint Programme, on par with prevention and treatment. The UNAIDS Unified Budget Results Accountability Framework (UBRAF) sets forth many specific human rights outcomes and activities for the UNAIDS Secretariat and Cosponsors (see Annex). To elevate the importance of human rights and gender equality, the UNAIDS Executive Director announced on 9 December 2011 that “equality and rights” will become its own department, reporting directly to the Deputy Executive Director (Programme).

2. The UNAIDS Reference Group on HIV and Human Rights stated in its recommendations from its twelfth meeting (March 2011) that “was very gratified that UNAIDS has…made major commitments to advancing human rights and gender equality as set forth in the UNAIDS vision, mission statement and strategy (2010-2015)….. However, the Reference Group observed a disconnect between the Joint Programme’s extensive and commendable body of work on human rights at global level and the need for consistent and tangible results and impact of this work at the country level. Members suggested this may be because, though UNAIDS appears to be taking forward major global strategic efforts, it does not have a strategy for making concrete human rights gains in particular countries. Rather at country level, it often appears to be reactive. This perception may also be a consequence of lack of regular and strategic reporting from UNAIDS, countries and regions on human rights strategies/commitments.”

3. Based on this analysis the Reference Group recommended “that UNAIDS develop a specific human rights strategy to translate the UNAIDS Strategy and its global human rights goals and activities into country-level impact. This strategy could include:

   a. a strategy for strengthening accountability and capacity of country and regional staff on human rights, including through training, performance evaluation, partnerships with local civil society HIV and human rights organizations, organizations representing key populations, and other international organizations working on HIV and human rights in the same countries as UNAIDS;

   b. the appointment of regional human rights advisors in the Secretariat Regional Support Teams to provide strategic direction on what UNAIDS can achieve on human rights in particular regions and to connect the work of UNAIDS to the local level;
c. an analysis of what circumstances give rise to HIV-related human rights violations in particular priority countries, and how UNAIDS will address these circumstances;

d. using the Secretariat and Cosponsor convening power and leadership on human rights more holistically and strategically;

e. more strategic engagement with other human rights and health movements, particularly at country and regional levels.”

4. This document describes some possible institutional strategies to strengthen efforts by the UNAIDS Secretariat to: (a) expand staff knowledge, skills and action to address human rights issues that are critical to success in the HIV response, particularly at country level; and (b) strengthen coordination and accountability for human rights across the Joint Programme;¹ and contains a summary of the discussion the Reference Group had about these suggested strategies, as well as the Reference Group’s recommendations.

Specific human rights roles and commitments from the UNAIDS Strategy 2011-2015 “Getting to Zero”

5. The role of the UNAIDS Secretariat is “overall coordination, coherence and accountability of the division of labour” in the Joint Programme. Based on this and the following particular roles, the UNAIDS Secretariat scope for human rights action is defined:

6. **Leadership and advocacy** UNAIDS Secretariat is to “influence the setting of a rights-based and gender-sensitive HIV political agenda for the Three Strategic Directions outlined in the UNAIDS Strategy”. This calls for strong and sustained public advocacy by senior management and key staff, at global, regional and country levels, and for allocating adequate human and financial resources for such influence.

7. “**Coordination, coherence and partnerships** across all the areas outlined in the division of labour matrix, to ensure delivery on the three Strategic Directions.” This suggests that the UNAIDS Secretariat should increase its efforts to find innovative ways to better support the cosponsors and join forces with other movements and partners to advance human rights and achieve results for people living with and affected by HIV.

8. **Mutual accountability** UNAIDS Secretariat is “to support mutual accountability of the Secretariat and Cosponsors to enhance programme efficiency and effectiveness and to optimally deliver on the shared Joint Programme mission, vision and Strategy, with measurable results. With a particular focus to:

a. “lead in advocacy and facilitate the generation of strategic information for an evidence-informed, rights-based and gender-sensitive global HIV political agenda in accordance with collectively agreed agenda;”

¹ This paper and its contents have not been discussed with, or agreed to, by UNAIDS Secretariat senior management.
b. assure overarching coherence, coordination and support for effective and flexible partnerships across all areas outlined in the division of labour, including with people living with HIV, in close collaboration with Cosponsors;
c. capitalize on interagency mechanisms to ensure appropriate coordination and cohesion across the three Strategic Directions."

This suggests the Secretariat must support accountability for its own actions and Cosponsor work on human rights with particular focus on strategic information, coordination of partnerships, and greater cohesion of action.

Suggested goals and institutional mechanisms for advancing human rights in the work of the UNAIDS Secretariat

9. Strengthening human rights commitment, skill and action requires consistent and dedicated effort, expertise, and resources. In order to integrate and expand human rights in the work of the Secretariat, particularly at country level, the following goals and actions are suggested.

GOAL 1  Increased human rights commitment by all Secretariat staff
Encouragement by senior staff for all staff to be committed to human rights action so as to result in public and consistent leadership on human rights issues, particularly at country level. Strong and consistent messages and monitoring by the Executive Cabinet, HQ Department Directors, Regional Support Team Directors and UNAIDS Country Coordinators and staff to the staff under their authority. Human rights issues and actions brought into the mainstream of UNAIDS Secretariat's management.

10. To achieve this goal, the following actions are suggested:
a. Develop a human rights communications and advocacy strategy, including around the 10 goals of the 2011 High-Level Meeting Political Declaration, integrating these messages in UNAIDS’ flagship publications, campaigns and advocacy;
b. Make human rights a standing item in Senior Management Team meetings, Regional Management Meetings and meetings of the Regional Support Team Directors;
c. Incorporate human rights leadership training for senior managers into ongoing training; or create such training and development opportunities;
d. Make human rights awareness, public advocacy and commitment a competency for senior staff selection and performance monitoring;
e. Allocate human and financial resources to the human rights strategy so that expected outcomes can be realistically achieved.

GOAL 2  Increased capacity of Secretariat staff to address human rights in their work  Staff with sufficient knowledge and skills to be able to ensure that human rights concerns are integrated into the UNAIDS Secretariat’s work at all levels. Managers responsible and accountable for ensuring that staff members develop adequate capacity on human rights.
11. To achieve this goal, the following actions are suggested:
   a. Develop and roll out human rights training for key professional staff, with focus on UNAIDS Country Coordinators and other key country staff. The training will be directly related to HIV issues, UNAIDS priorities and Secretariat functions with a focus on how human rights can be applied in UNAIDS Secretariat day-to-day work;
   b. Explicitly charge all professional staff with the responsibility of addressing relevant human rights in their work and workplans, as appropriate, and include human rights as part of the Performance Evaluation Report of staff;
   c. Recruit dedicated human rights officers for the Regional Support Teams and support them as a knowledge/action network on human rights.

GOAL 3  Increased action to turn human rights into country realities
UNAIDS staff working harder to ensure that human rights commitments of governments become realities in national AIDS responses.

12. To achieve this goal, the following actions are suggested:
   a. Incorporate human rights into results-based management planning, budgeting, monitoring and evaluation efforts of UNAIDS Country Offices;
   b. Provide human rights/gender equality analysis of the 31 high impact countries;
   c. Require and monitor specific human rights and law objectives, with focus on recommendations of the Global Commission on HIV and the Law, in Regional Support Team/UNAIDS Country Office workplans and budgets;
   d. Hold strategic regional meetings of legal actors on particular subjects for follow-up at country level;
   e. Strengthen efforts to increase attention to human rights issues/programmes in national HIV planning, funding and programming;
   f. Document and evaluate the human rights activities carried out by UNAIDS Country Offices and Cosponsor staff at country level, highlighting the lessons learned and sharing across countries;
   g. Implement a “Virtual Situation Room” and staff protocol for responding to emergency human rights crises/individual cases.

GOAL 4  Increased accountability, coordination and cohesion for expanded action on human rights in the Secretariat and across the Joint Programme
Secretariat and Cosponsors action on human rights expanded and made more strategic, coherent, and coordinated.

13. To achieve this goal, suggested action are:
   a. Develop human rights-related indicators to apply to Secretariat work;
   b. Create and manage an Interagency Working Group of Cosponsor focal points on human rights to share information and coordinate action;
   c. With cosponsors, develop a strategy for reporting on and collecting/disseminating information on human rights activities in Secretariat and Cosponsor at global, regional and national levels;
d. Manage UNAIDS Reference Group on HIV and Human Rights for greater cohesion and coherence across the Joint Programme;

e. Use the UN system-wide Human Rights Mainstreaming Mechanism efforts to support increased human rights efforts in the Secretariat and Cosponsors.

14. The annex lists the human rights-related actions of the UBRAF. These comprise the substance and targets that Secretariat and Cosponsor staff should take forward.

Summary of the discussion at the thirteenth Reference Group meeting

15. The Reference Group discussed and fully supported the suggested goals and mechanisms for advancing human rights in the work of the UNAIDS Secretariat.

16. At the same time, Reference Group members reiterated a number of serious concerns about UNAIDS’s advancement of human rights at the country level and other related issues:

- Most profoundly, two Reference Group members from countries with major HIV epidemics expressed that they have no idea what UNAIDS does at the country level.
- Reference Group members noted that human rights change is more likely to emanate from the bottom up, so UNAIDS should focus its efforts more on civil society than government.
- Reference Group members noted that change in the legal and human rights environment is impossible without change in the social environment, including addressing stigma within faith communities,
- Reference Group members noted that a commitment to human rights must mean that Secretariat staff and cosponsor members of the Joint UN Teams on AIDS at country level are willing to take risks and know that the UNAIDS Secretariat and cosponsors will back them up.
- Reference Group members expressed concern that the Reference Group itself is not being effectively utilized and that its impact is small.
- Reference Group members expressed concern about overly optimistic and inconsistent messaging from the UNAIDS Executive Director on human rights, noting that “someone needs to be describing the world as it is, even if governments take offense.”

17. The Reference Group suggested that, in addition to the proposed four goals outlined above, **there should be a fifth goal: increasing capacity in country to rapidly respond to a human rights crisis**, both among Secretariat staff and cosponsor members of the Joint UN Teams on AIDS at country level.

Recommendations

Recommendaion 1
Now that the functional review is coming to an end, the Reference Group urges the UNAIDS Secretariat, as well as the Cosponsors, to make development and ultimately implementation of a human rights strategy a priority. The Secretariat...
should follow the approach taken in the background paper prepared for the thirteenth meeting.

**Recommendation 2**

In addition to the four goals outlined in the background paper, **there should be a fifth goal: increasing capacity in country to rapidly respond to a human rights crisis**, both among Secretariat staff and cosponsor members of the Joint UN Teams on AIDS at country level. As part of this, UNAIDS should promote a shared understanding among staff about what constitutes “good human rights work” at the country level, such as partnering with civil society and playing a brokering role between organizations representing criminalized populations and the Global Fund.

2.3 UNAIDS should consider changes in institutional culture and messaging aimed at ensuring that UNAIDS staff at country level are empowered and rewarded to be bold and to speak out on difficult human rights issues. For example:

2.1 Support and protection should be provided to staff who may have to step out of their comfort zone and challenge governments in a way that is not usually done.

2.2 Staff who are bold on human rights issues should be rewarded, e.g. with a “Rapid Response Award”.

2.3 Not only the UNAIDS Secretariat, but every regional team on HIV as well as every Joint UN Team on AIDS at country level should have a human rights strategy.

2.4 UNAIDS messaging about human rights should recognize and express solidarity with the difficult reality that local actors face.

This issue paper was prepared by Susan Timberlake and Jason Sigurdson to facilitate discussion at the Reference Group’s December 2011 meeting. It was revised after the meeting by the Reference Group Secretariat to include a summary of the discussion at the meeting and the Reference Group recommendations.