

Consultation on the modalities and methods of work of the Executive Board and Rules of Procedures of the Executive Board and World Health Assembly

Compilation of comment received

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Argentina

(Spanish version)

Modalidades y métodos de trabajo del Consejo Ejecutivo, y

Reglamento Interior del Consejo Ejecutivo y de la Asamblea Mundial de la Salud

Preguntas sobre las cuales la Secretaría de la Organización Mundial de la Salud (OMS) solicita a los Estados Miembros comentarios por escrito

Pregunta para consulta #	Pregunta
1	<p>Los Estados Miembros están invitados a aportar sus opiniones sobre los roles y métodos de trabajo del Consejo Ejecutivo y sus funcionarios con el objeto de mejorar la eficiencia y equidad en la toma de decisiones. Algunas de las preguntas que los Estados Miembros podría responder al respecto incluyen las siguientes:</p> <p>-¿De qué manera consideran que se deberían mejorar los roles y métodos de trabajo del Consejo Ejecutivo y sus funcionarios?</p> <p>-Se invita a los Estados Miembros a identificar medidas específicas que podrían ser consideradas.</p> <p>NO SE REALIZAN OBSERVACIONES</p>
2	<p>¿Se deberían adoptar medidas similares a aquellas identificadas en la práctica en otras organizaciones y órganos de la OMS como medidas adecuadas? Algunas de las preguntas que los Estados Miembros podría responder al respecto incluyen las siguientes:</p> <p>-¿Se debería incorporar un procedimiento para introducir la consideración automática de la vigencia limitada de proyectos de resolución? ¿Se deberían revisar las resoluciones y decisiones existentes para evaluar si pueden tener una vigencia limitada?</p> <p>-¿El Consejo Ejecutivo debería establecer un subcomité técnico u otro, que podría reunirse periódicamente y brindar un foro para discutir y debatir sobre ciertos temas? ¿Ese órgano debería tener el</p>

	<p>poder para tomar decisiones y/o remitir temas directamente a la Asamblea?</p> <p>-¿El orden del día del Consejo Ejecutivo debería diferenciar los temas que requieren discusión de aquellos en que se espera que se tome una decisión sin discutirla? ¿Debería considerar temas que son meramente informativos?</p> <p>-¿El Consejo Ejecutivo debería solicitar que los grupos regionales coordinen sus posiciones lo mayor posible y brinden declaraciones regionales (en lugar de que varios miembros del mismo grupo tomen la palabra)?</p> <p>-¿Se debería permitir que solo los miembros del Consejo Ejecutivo tomen la palabra y que las opiniones de otros Estados Miembros sean expresadas por los miembros que eligieron?</p> <p>-¿Se deberían facilitar canales para que los Estados Miembros informen sus experiencias fuera de las reuniones de los órganos de gobierno, por ejemplo, a través de cuestionarios (para reducir las declaraciones de los países durante la reunión)?</p> <p>-¿Se deberían eliminar puntos del orden del día si el documento correspondiente no está disponible en todos los idiomas oficiales, por ejemplo, tres semanas antes de la reunión?</p> <p>-¿Se debería identificar una clara división del trabajo entre la Asamblea de la Salud y el Consejo Ejecutivo? De ser así, ¿de qué manera?</p> <p>-¿Debería haber videoconferencias disponibles para las reuniones y consultas?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
3	<p>¿Se debería solicitar que las propuestas de inclusión de puntos en el orden del día provisional de la Asamblea se acompañen de un memorando explicativo, análogo al procedimiento utilizado para elaborar el orden del día provisional del Consejo?</p>

	<p>¿Cuál de las dos opciones, descritas en el documento A70/51, se debería discutir sobre el rol del Consejo Ejecutivo para considerar propuestas de inclusión de puntos en el orden del día provisional de la Asamblea?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
4	<p>¿Se debería eliminar la distinción entre “nuevas actividades de la Organización” (Artículo 11 del Reglamento Interior de la Asamblea de la Salud) y otros “puntos suplementarios” (Artículo 12 del Reglamento Interior de la Asamblea de la Salud) para tener una sola norma que regule las propuestas de inclusión de puntos adicionales en el orden del día en casos de urgencia?</p> <p>¿Qué criterio debería aplicarse para tales propuestas? En especial, ¿cuál es el plazo que debería establecerse para las remisiones? ¿Solo se deberían aceptar puntos en casos de urgencia? ¿Las propuestas deberían ser acompañadas por un documento de apoyo que explique la razón de la propuesta y su urgencia?</p> <p>En el caso de que la modalidad actual se mantenga sustancialmente, ¿se deberían clarificar los plazos del Artículo 12 para aclarar que las solicitudes de inclusión de puntos suplementarios deben estar en poder de la Organización seis días <u>antes</u> de la apertura de una reunión ordinaria o dos días <u>antes</u> de la apertura de una reunión extraordinaria?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
5	<p>¿Los Estados Miembros desean considerar las ambigüedades adicionales, vacíos y otros defectos del Reglamento Interior identificados por la Secretaría? De ser así, ¿De qué manera la Secretaría debería asistir a los Estados Miembros en la consideración de estos asuntos (y/o otros temas de procedimiento que los Estados Miembros desearían abordar)? En especial, las siguientes preguntas:</p> <p>-¿La Secretaría debería proponer modificaciones de redacción al Reglamento Interior correspondientes a los temas identificados en este documento?</p> <p>-¿La Secretaría debería llevar a cabo una revisión integral del Reglamento Interior para simplificar las normas y para implementar un sistema numérico revisado?</p>

	SE CONSIDERA QUE LA SECRETARIA DEBERIA LLEVAR A CABO UNA REVISION INTEGRAL DE LAS REGLAS DE PROCEDIMIENTO PARA SIMPLIFICAR LAS NORMAS E INTRODUCIR UN SISTEMA NUMERICO REVISADO DEBIDO A QUE A LO LARGO DEL TIEMPO SE HAN GENERADO MUCHAS AMBIGUEDADES Y LAGUNAS
6	<p>¿Se debería modificar el Reglamento Interior para permitir que las delegaciones remitan declaraciones escritas además o en lugar de las intervenciones orales? De ser así:</p> <p>-¿Esta característica debería estar disponible automáticamente para todos los procedimientos, solo limitada a algunos puntos del orden día (por ejemplo, informes de progreso) o cuando el funcionario que preside lo decida?</p> <p>-¿Estas declaraciones deberían ser registradas en las actas resumidas o, como se hace actualmente, publicadas en la página web de la OMS “solo con fines informativos”?</p> <p>-¿Estas declaraciones escritas deberían contener limitaciones en cuanto a su longitud?</p> <p>-¿Estas declaraciones escritas deberían estar limitadas a temas específicos (por ejemplo, descripciones de prácticas nacionales, asuntos no controversiales)?</p> <p>-¿Debería habilitarse un mecanismo para permitir que otros participantes ejerzan el derecho a réplica por escrito con respecto a los asuntos descritos en tales declaraciones escritas?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
7	<p>¿Se debería modificar el Reglamento Interior para permitir la posibilidad del voto electrónico cuando los sistemas adecuados estén disponibles?</p> <p>LA POSIBILIDAD DEL VOTO ELECTRÓNICO AHORRARÍA TIEMPO EN REUNIONES DONDE LA PARTICIPACIÓN DE LA QUE DISPONEN LOS DELEGADOS ES MUY LIMITADA</p>
8	¿Debería eliminarse el requisito de una copia impresa de las credenciales originales? En especial, ¿el proceso de examinación de

	<p>credenciales debería basarse exclusivamente en las copias escaneadas de las credenciales subidas al sistema de inscripción en línea de la Secretaría?</p> <p>¿La tarea de examinar credenciales debería seguir siendo delegada a una Comisión de Credenciales o deberían ser los funcionarios de la Asamblea de la Salud los que cumplan este rol?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
9	<p>¿Se debería modificar el Reglamento Interior para reemplazar las expresiones de género marcado por expresiones neutrales en cuanto al género?</p> <p>SE CONSIDERA QUE PODRIA APROVECHARSE LA OPORTUNIDAD DE UNA REVISIÓN INTEGRAL, EN CONTINUIDAD A LA PREGUNTA #5, PARA HACER ESTOS CAMBIOS DE FORMA CONJUNTA</p>
10	<p>¿El equilibrio entre la flexibilidad y la necesidad de brindar el tiempo adecuado para que las delegaciones consideren las propuestas está reflejado apropiadamente en los Artículos 28 bis y 28 ter del Reglamento Interior del Consejo Ejecutivo, y en los Artículos 48 y 50 del Reglamento Interior de la Asamblea de la Salud? ¿El plazo actual para remitir proyectos de resolución y de decisiones debería ser más estricto para permitir que las delegaciones tengan más tiempo para consultar con anticipación el texto propuesto?</p> <p>¿Se debería revisar el Artículo 48 del Reglamento Interior de la Asamblea de la Salud para permitir que se hagan excepciones sin tener que recurrir a la suspensión formal del artículo?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
11	<p>¿Se debería limitar a tres la cantidad de suplentes de cada delegación para reflejar la cantidad de delegados y que la cantidad de asesores sea ilimitada?</p> <p>¿Se debería modificar el Reglamento Interior para clarificar que solo los “delegados” y “suplentes” pueden ser designados para votar en las reuniones plenarias de la Asamblea y que todos los miembros de la delegación pueden ser designados para votar en las reuniones de las comisiones?</p>

	NO SE REALIZAN OBSERVACIONES
12	<p>¿Los artículos relacionados con las actas taquigráficas y resumidas deberían reflejar más adecuadamente las prácticas actuales?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
13	<p>¿El Reglamento Interior debería incluir una disposición que establezca la moción de suspender el debate sobre un punto que está en discusión?</p> <p>ESTO SUCEDE EN OTROS ORGANISMOS DE NACIONES UNIDAS Y LA ORGANIZACIÓN MUNDIAL DE LA SALUD DEBERIA SEGUIR ESE EJEMPLO. SE DEBERIA REALIZAR APROVECHANDO LA REVISION INTEGRAL DE LA PREGUNTA #5</p>
14	<p>¿Se debería cambiar el nombre de las “sesiones públicas” del Consejo Ejecutivo a “sesiones privadas”?</p> <p>NO SE REALIZAN OBSERVACIONES</p>
15	<p>¿Se debería revisar el Reglamento Interior para reflejar las disposiciones y terminología del Marco para la colaboración con agentes no estatales (FENSA, por sus siglas en inglés)?</p> <p>NO SE REALIZAN OBSERVACIONES</p>

(English version)

**Modalities and methods of work of the Executive Board and
Rules of Procedure of the Executive Board and World Health Assembly**

**Questions on which the secretariat of the World Health Organization (WHO) requests
written comments from Member States**

Question for consultation #	Question
1	<p>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making.</p> <p>Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none"> -In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? -Member States are invited in addition to identify specific measures that might be considered. <p>NO COMMENTS</p>
2	<p>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none"> -Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted? -Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly? -Should the Executive Board agenda distinguish between items

	<p>that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for Information only?</p> <p>-Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</p> <p>-Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</p> <p>-Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</p> <p>-Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</p> <p>-Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</p> <p>-Should video tele-conferencing be available for meetings and consultations?</p> <p>NO COMMENTS</p>
3	<p>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</p> <p>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</p> <p>NO COMMENTS</p>
4	<p>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the</p>

	<p>agenda in cases of urgency?</p> <p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</p> <p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days <u>before</u> the opening of a regular session, or two days <u>before</u> the opening of a special session?</p> <p>NO COMMENTS</p>
5	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <p>-Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?</p> <p>-Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?</p> <p>THE SECRETARIAT SHOULD CARRY OUT A COMPREHENSIVE REVISION OF THE RULES OF PROCEDURE TO SIMPLIFY THE RULES AND INTRODUCE A REVISED NUMBERING SYSTEM BECAUSE MANY AMBIGUITIES AND GAPS HAVE ARISEN OVER THE COURSE OF TIME</p>
6	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions? If so:</p> <p>-Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?</p> <p>-Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?</p> <p>-Should such written statements be subject to limitations as to length?</p> <p>-Should such written statements be limited to particular matters</p>

	<p>(e.g. descriptions of national practice, uncontroversial matters)?</p> <p>-Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?</p> <p>NO COMMENTS</p>
7	<p>Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available</p> <p>THE POSSIBILITY OF ELECTRONIC VOTING WOULD SAVE TIME IN MEETINGS WHERE DELEGATIONS HAVE VERY LIMITED POSSIBILITIES FOR PARTICIPATION</p>
8	<p>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</p> <p>NO COMMENTS</p>
9	<p>Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</p> <p>THE OPPORTUNITY TO UNDERTAKE A COMPLETE REVISION, AS REFERRED TO IN QUESTION #5, SHOULD BE EXPLOITED SO AS TO MAKE ALL THESE CHANGES TOGETHER</p>
10	<p>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p> <p>NO COMMENTS</p>

11	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p> <p>NO COMMENTS</p>
12	<p>Should the provisions relating to verbatim and summary records reflect more closely the current practice?</p> <p>NO COMMENTS</p>
13	<p>Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?</p> <p>THIS HAPPENS IN OTHER ORGANZATIONS OF THE UNITED NATIONS AND THE WORLD HEALTH ASSEMBLY SHOULD FOLLOW SUIT. THIS SHOULD BE DONE IN THE CONTEXT OF THE COMPREHENSIVE REVISION REFERRED TO IN QUESTION #5</p>
14	<p>Should “open meetings” of the Executive Board be renamed as “private meetings”?</p> <p>NO COMMENTS</p>
15	<p>Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</p> <p>NO COMMENTS</p>

Australia

Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly Response to the paper for consultation with Member States: AUSTRALIA

A. Measures to support efforts to improve the efficiency of the governing bodies and their focus on strategic issues			
Question #	Question	Page	Australia's response
1	<p>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none"> - In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? - Member States are invited in addition to identify specific measures that might be considered. 	7	<p>Australia strongly supports early efforts by the new Director-General to accelerate governance reform, including improving the effectiveness and efficiency of governing body meetings, taking into account the findings and recommendations of the third stage evaluation of WHO reform.</p> <p>We welcome the recommendation of the Executive Board (EB) Bureau that the structure and content of EB meetings be reviewed, with the objective of drawing the best possible balance between efficiency and inclusiveness of decision-making.</p> <p>We note that any changes in the roles and responsibilities of Bureau members will need to be carefully considered to ensure that the EB continues to be well-informed by the views of Member States wishing to contribute to its discussions and decisions. In this regard, we would emphasise the importance of close coordination between the Bureau members and Geneva-based regional coordinators to ensure wide circulation of information to Member States and inclusive inputs into decision-making. We also note that any changes to the current modalities and methods of work will need to be introduced over an appropriate timeframe and supported by adequate communication to ensure successful implementation.</p> <p>Australia provides initial views on reform proposals raised in the paper below. Acknowledging the challenges in implementing long-</p>

			<p>term reform, we consider that efforts should centre on: refocusing the EB on its executive role; improving both Member State and Secretariat discipline; determining manageable agendas; and strengthening strategic decision-making. In addition to the specific proposals considered below, we note that sustained efforts are required to build the capacity of governing body chairs to effectively manage meetings. Chairs must be appropriately supported to ensure that they are able to drive agreed agendas and foster constructive debate.</p> <p>We note that additional steps to improve the efficiency and effectiveness of governing bodies should build on progress made to date, including through the successfully concluded Member State consultation process on governance reform. Australia welcomes the Secretariat leading further efforts, and we also note the important part Member States must play in enhancing the strategic orientation of governing bodies by refraining from micromanagement and from statements simply describing domestic arrangements. At this stage we do not consider it necessary to convene an additional group of Member State representatives to propose further improvements to the working methods of governing bodies.</p>
2	Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:	7	Australia welcomes the consideration of best practice approaches from across the UN and other international organisations, however we note the need for due regard to the transferability of these approaches to the WHO context. As this work progresses, it may be useful to provide Member States with further information on which organisations the below proposals have been drawn from. This will assist Member State discussions on the examples identified.
2	- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?	7	Australia is open to considering sun-setting of resolutions, both prospectively and retrospectively, however we would seek further information as to how sun-setting would apply in the WHO context (noting that WHO resolutions are generally focused on norms and standards, with ongoing requirements often relating mostly to

			<p>reporting, and often time bound).</p> <p>We note that in recent years Member States have demonstrated discipline in resolution reporting requirements, usually identifying specific timeframes for reporting rather than requesting reports on an ongoing basis. Australia will continue to advocate for a disciplined approach which minimises reporting burdens.</p> <p>While a complete review of existing resolutions and decisions with a view to sun-setting could be resource-intensive and potentially problematic, a limited review relating specifically to reporting requirements may be useful in generating efficiencies for the organisation.</p>
2	<p>- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</p>	7	<p>While an interesting concept, at this stage Australia does not see a clear need for the EB to establish an additional technical or other sub-committee. If this proposal were to be taken forward, further consideration would need to be given to the rationale for, and intended purpose, scope and membership of, such a body – as well as resource implications. Australia considers that efforts to strengthen the EB’s strategic focus are likely to be more effective than establishing additional governance architecture. We do not see the need for another body to make decisions and/or refer matters directly to the Assembly.</p> <p>We note that there are already effective processes to facilitate intersessional work – with informal consultations held with Permanent Missions in Geneva, online, and in other fora where needed (including dedicated technical meetings and regional-level discussions). These processes allow for informal discussions and debates and support the Secretariat in refining key pieces of work prior to formal discussion through WHO’s governing bodies.</p>

2	<p>- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</p>	7	<p>Australia support efforts towards more focused agendas, with differentiation between issues of strategic significance requiring deliberation by the EB, and routine or detailed technical issues which are the responsibility of the Secretariat.</p> <p>In principle, we consider that the EB agenda should distinguish between items that require discussion and those where a decision is expected to be taken without discussion. We note, however, that views on which items require discussion may vary among Member States. We also note that at present, there is very limited discussion on most managerial and administrative items where a decision is expected to be taken without discussion, so a differentiated agenda may result in limited efficiencies. What we consider critical is increased Member State discipline (supported by effective chairing): delegates should refrain from micromanagement, and from statements which simply describe domestic arrangements.</p> <p>Issues that are for information only should generally be communicated to Member States by means outside formal governing body meetings (for example through written communication and informal briefings).</p> <p>We note that it may be useful to give further consideration to the treatment of progress reports (currently considered only by the Assembly), as these may be more appropriately considered by the EB in its executive function to give effect to the Assembly's decisions and policies.</p>
2	<p>- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</p>	7	<p>While regional groups should be encouraged to coordinate positions where possible, it is important to acknowledge the breadth and diversity of regions. When country positions are very diverse, it is not practical or realistic to expect a common regional position that can helpfully contribute to EB debate.</p>

			<p>Australia does not consider it feasible to impose a requirement for regional statements, but supports continued encouragement of coordination of positions to the extent possible – both at the regional level and among groups of countries with like-minded views – in order to minimise repetition in the EB’s discussions. We also reiterate the importance of discipline and effective chairing: delegates should be strongly encouraged to refrain from intervening if they have joined a joint statement on the agenda item; avoid repetition in their statements; and align with others where their points have already been raised.</p>
2	- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?	7	<p>Acknowledging the need to improve the strategic focus of EB deliberations, Australia would be open to considering an approach whereby only EB members were permitted to take the floor (although it would be important that all Member States continue to be permitted to attend and observe EB discussions, as well as participate in informal meetings in the margins).</p> <p>If this approach were to be taken forward, it would be important to agree clear processes for Member States to contribute their views, noting that EB members are not currently elected in a representative capacity. The roles of EB members, the EB Bureau, and the regional coordinators would need to be clarified in this respect. Changes would need to be introduced over an appropriate timeframe and supported by adequate communication to ensure successful implementation.</p>
2	- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?	7	<p>As noted above, Australia strongly supports focusing governing body meetings on strategic debates. Unless highlighting innovative approaches or specific needs for assistance directly relevant to governing body decisions, interventions describing Member State experiences should be discouraged. However, we are not clear on</p>

			<p>the purpose and value of introducing questionnaires for Member State experiences, noting that this would have resource implications for both Member States and the Secretariat, and that it is unclear how data collected would be utilised and how it would support the progression of governing body agenda items.</p> <p>While we strongly support the objective of minimising statements on country experiences, we consider that this would be better achieved through other measures, including allowing for the submission of written statements and the inclusion of these in summary records (see response to question 6 below).</p>
2	- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?	7	<p>The timely distribution of documents is crucial in promoting a thorough understanding of issues prior to governing body meetings, and allowing for constructive and productive discussion and debate. Australia supports the proposal that items be removed from the agenda if the relevant document is not available in all official languages within a specific time period before the session, however we consider that some flexibility should be maintained for exceptional circumstances, particularly with respect to urgent or time critical agenda items of strategic priority.</p>
2	- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?	7	<p>Australia strongly supports revitalising the role of the EB as the executive organ of the Assembly, as per its constitutional mandate. We would welcome efforts to relieve the EB of activities and debates falling outside its executive role (as recommended by the stage 3 evaluation), and consider that the division of roles and responsibilities between the Assembly, the EB, and the EB's Programme Budget and Administration Committee should be reinforced.</p>
2	- Should video tele-conferencing be available for meetings and consultations?	7	<p>Australia appreciates the recent efforts of the Secretariat to increase the availability of WebEx web conferencing technology for</p>

			intersessional meetings and consultations, and we acknowledge the value of this in supporting increased participation from some Member States. However, we note that the use of video tele-conferencing is time zone dependent, and for many Member States (particularly in our region of the Western Pacific) this does not facilitate increased participation. We do not consider that video tele-conferencing facilities should be available for formal governing body sessions, though we appreciate the availability of video recordings of these meetings.
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B. Interpretational ambiguities and gaps in the processes for the inclusion of additional, supplementary and urgent agenda items			
Question #	Question	Page	Australia's response
a) Proposal of items for the agenda			
3	Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda? Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?	9	Australia supports the suggested requirement that proposals for inclusion of items on the draft provisional agenda of the Assembly be accompanied by an explanatory memorandum (noting this will align with the process for the EB agenda). We strongly support option 1, whereby the Board would decide whether an item would be included, excluded or deferred (supported by the explanatory memorandum). It is important that the Board is empowered in its decision making to ensure that it can effectively perform the agenda setting role for the Assembly.
a) Proposal of additional items for the agenda of the Health Assembly			
4	Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other	10	Australia considers that efforts should be made to streamline the Rules of Procedure of the Assembly wherever possible. We consider it appropriate to have only one rule governing proposals

	<p>“supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</p> <p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply? should items only be acceptable in case of urgency? should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</p> <p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?</p>		<p>for additional agenda items in case of urgency.</p> <p>Such proposals should be receivable only if the item concerned is of an urgent nature and is accompanied by a supporting statement explaining the rationale behind the proposal and its urgency. The timelines for submission should be clarified in line with current practice (with proposals required to reach the organisation no later than six days before the opening of a regular session or two days before the opening of a special session).</p> <p>In the event that there is not sufficient support for the above revision, the time periods in Rule 12 should nonetheless be clarified in line with current practice.</p>
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C. Further ambiguities, gaps and other shortcomings in the Rules of Procedure of the governing bodies			
Question #	Question	Page	Australia’s response
5	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <p>- Should the Secretariat propose language for</p>	11	<p>Australia supports further consideration of the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat.</p> <p>To facilitate and expedite Member State consideration of appropriate revisions, we would welcome the Secretariat’s proposals on language for amendments to the rules. Once revisions have been agreed in principle by Member States, we would also support further work by the Secretariat to introduce a revised</p>

	<p>amendments to the Rules of Procedure corresponding to the issues identified in this paper?</p> <p>- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?</p>		numbering system.
6	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions? If so:</p> <p>- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?</p> <p>- Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?</p> <p>- Should such written statements be subject to limitations as to length?</p> <p>- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?</p> <p>- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?</p>	12	<p>Australia considers that allowing delegations to submit written statements instead of oral interventions may assist in shortening governing body debates and focusing them on strategic discussion.</p> <p>We see value in making this facility automatically available for all proceedings. We also see value in including written statements in the summary records, as we consider that the current practice of placing written statements on WHO’s website ‘for information purposes only’ may discourage delegations from utilising this option. We would suggest that the Secretariat summarise written statements for inclusion in the summary records in the same manner as per current practice for oral statements – however a distinction should be drawn between statements made orally during the meeting and those subsequently submitted in writing (for example, the summary of written statements could appear in a separate subsection following the summary of the debate in the room).</p> <p>Written statements should be subject to the same limitations as oral statements with respect to length. A word limit corresponding to the oral time limit should be introduced and enforced. Short and clear timeframes for the acceptance of written statements should also be introduced.</p> <p>We do not consider that written statements should be limited to particular matters such as ‘uncontroversial matters’ (noting the likely difficulties of enforcing such a requirement), but note that any statements intended to influence the direction of the</p>

			<p>Assembly's deliberations will need to be presented orally. We would see merit in a requirement that written statements not include any comments targeting particular Member States (of the kind that would ordinarily trigger a right of reply).</p> <p>We do not consider it necessary to put in place any formal 'right of reply' mechanism in respect of written statements, provided that a clear distinction is drawn in summary records between those statements made in the room and those submitted subsequently in writing. We do consider it important that all Member States have the opportunity to review provisional summary records before their publication (as per current practice).</p>
7	Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?	13	Yes.
8	<p>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</p>	14	<p>Yes, the requirement for a hard copy original of credentials should be dispensed with. The submission and review of scanned credentials only will be more efficient for both the organisation and Member States.</p> <p>We also consider that it would be appropriate for the examination of credentials to be undertaken by the officers of the Health Assembly, dispensing with the need for a separate Credentials Committee.</p>
9	Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?	16	Yes.
10	Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals	16	Australia considers that Rules 28bis and 28ter of the EB Rules of Procedure and rules 48 and 50 of the Assembly Rules of Procedure

	<p>adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?</p> <p>Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p>		<p>largely strike the right balance between flexibility and the need to provide sufficient time for delegations to consider proposals.</p> <p>While we do not see a particular need to make the current time limits for submitting draft resolutions and decisions stricter, we would strongly emphasise the importance of consultation and discussion on proposals as broadly as possible well in advance of their consideration by governing bodies. With respect to resolutions, effective use should be made of the January EB session to agree text for adoption by the Assembly wherever possible, and informal intersessional consultations should be broad, with effective use of all possible mechanisms (including the Geneva-based regional coordinators) to share proposals as widely as possible.</p> <p>We do not currently see a need to revise rule 48 of the Assembly Rules.</p>
11	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p>	17	<p>Yes.</p> <p>We are open to this proposal, but would seek further clarification on the need for such a restriction.</p>
12	Should the provisions relating to verbatim and summary records reflect more closely the current practice?	18	Yes
13	Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?	19	Yes.

14	Should “open meetings” of the Executive Board be renamed as “private meetings”?	19	Yes.
15	Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?	20	Yes.

Belgium

Review Rules of Procedure – BELGIAN COMMENTS

QUESTION 1: Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:

- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?

BE has long been an advocate for good governance within WHO and welcomes the proposals made in this document. We would like to see the Executive Board become more complementary to the World Health Assembly, by reinstating a clear distinction between the functions of both governing bodies. This could be done by decreasing the number of agenda-items, limiting speaking-time only to Board-members and enhancing the executive role of the EB. The EB Officers of the Board should also be more actively involved, while the PBAC should take on a more prominent role.

- Member States are invited in addition to identify specific measures that might be considered.

- Install a specific, user-friendly “dropbox” where MS can freely post their statements (with one secure login per representation) and encourage MS to do this. This would bring enhanced visibility for a MS, assure that statements are more widely and fully disseminated and prompt less oral statements.
- We do feel it is important not to burden Member States by adding surveys and consultations (an option which was considered by WHO as alternative to EB discussions).
- We also feel that adding a high-level strategic discussion (as proposed in the consultation) as an extra agenda item should only be considered once a reduction in agenda-items has been realized.

QUESTION 2: Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-settled?

BE strongly supports the practice of sun-setting resolutions and decisions.

- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

No, this would be difficult to manage for small delegations and create additional administrative layers and costs. Moreover only the EB is entitled to refer matters to the WHA.

- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?

Yes, this might be helpful.

- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?

Yes, this would be advisable, but a more fundamental solution would be to limit EB speaking time only to EB Members.

- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

Yes, absolutely.

- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?

- At the EB, Member States should become more disciplined and stop sharing country experiences. At the level of the WHA, we believe this is not feasible as we believe Member States will still want to share their experiences for various reasons. However, the posting of written statements should be encouraged at all times (although there would be no possibility of reply like on oral statements).
- We're reluctant to have more questionnaires: there are already enough surveys to complete, and this might even lead to Member States feeling compelled to share national experiences which they otherwise would not.

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

Yes, if a formal decision is required. However, exceptions might be considered for information documents or documents submitted for informal consultation.

- Should a clear division of labor be identified between the Health Assembly and the Executive Board? If so, how?

Yes, the EB has an executive role while the WHA should be more strategic/policy oriented by taking note and approving technical items which are submitted by the EB. Why not even consider holding only one WHA per biennium (cfr. FAO)? This would enhance the executive work of the EB.

- Should video tele-conferencing be available for meetings and consultations?

The EB sessions could be transmitted through webcasting, but EB themselves shouldn't be organized through teleconferencing. Also, nothing replaces face-to-face meetings. Quality of teleconferencing is sometimes mediocre.

QUESTION 3

Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

Yes, this would be helpful.

Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

Rule 11, and hence a deadline of 6 weeks before the start of the WHA (instead of 6 days as allowed under Rule 12) for non-urgent items. The deadline of 6 days (with a 2 day deadline for special sessions) under Rule 12 should only be used for urgent and not for ordinary supplementary items.

QUESTION 4

Should the distinction between “new activities to be undertaken by the Organization” (Rule 11 of the Rules of Procedure of the Health Assembly) and other “supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

Yes, this simplification should be encouraged as the distinction is effectively blurred.

What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?

Additional, agenda items should be accompanied by a supporting. The deadline should be six weeks and for non-urgent items and six/two days before the start of the meeting for urgent agenda items for regular/special sessions.

In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

In our view, six/two days is too short in case of supplementary items with no urgency. Six weeks is acceptable.

QUESTION 5

Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Yes

- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Yes, simplification should always be encouraged.

QUESTION 6

Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

Yes (see initial comments under question 1 and hereafter).

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?

We believe this should be available for all proceedings.

- Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?

In the summary records, but under a heading ‘written statements’, to show that these written statements have the same value as oral statements.

We encourage WHO to install a specific, user-friendly “dropbox” where MS can freely post their statements (with one secure login per representation) and encourage MS to do this. This would

bring enhanced visibility for a MS, assure that statements are more widely and fully disseminated and prompt less oral statements.

- Should such written statements be subject to limitations as to length?

Yes, ideally also a maximum of about 500 words (if more, the statement loses its punch and becomes too MS-oriented, which is not the aim of an EB).

- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?

No

- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?

No, otherwise one should also consider to put in place a mechanism to reply on written replies to written statements, and so on. It would not be a good idea to install a discussion forum around written statements.

QUESTION 7

Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Yes

QUESTION 8

Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

Yes

Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

Yes, this is in our view a central characteristic of UN meetings and therefore should still done by a Credentials Committee.

QUESTION 9

Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

Yes

QUESTION 10

Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

Yes

Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

Yes

Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

No

QUESTION 11

Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

Yes

Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

No, this seems needless a complication.

QUESTION 12

Should the provisions relating to verbatim and summary records reflect more closely the current practice?

No.

QUESTION 13

Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

Yes, as is the case in other UN specialized agencies.

QUESTION 14

Should “open meetings” of the Executive Board be renamed as “private meetings”?

Open meetings should be open for all, while closed or private meetings should be open only for Board members ... this wording is more adequate and should be reflected in the RoP.

QUESTION 15

Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

Yes

Canada

Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly

- paper for consultation with Member States –

Canada's submission

Canada commends the World Health Organization (WHO) Secretariat for launching this Member State consultation. Canada has been actively engaged in WHO reform, and we strongly believe that momentum should not be lost in implementing meaningful governance and managerial reform to make the WHO more effective, efficient, responsible, transparent and accountable.

We wish to underscore that given that WHO is a Member State driven organization, all Member States have an interest in the functioning of the Executive Board (EB) and World Health Assembly (WHA), and as proposed changes will affect all, they need to be carefully considered by the whole WHO membership.

With respect to the EB itself, any proposal for change should be carefully considered so that all decisions remain as transparent and inclusive as possible, while allowing for effective governance. We strongly believe that for Member States to carefully consider many of the proposals formulated below, WHO Secretariat should clearly articulate or provide the following:

- the overall objectives to attain through these proposals for change;
- the problem(s) each proposal seeks to solve/mitigate;
- the objectives each proposal is expected to contribute to;
- clear examples, where appropriate; and,
- a risk-benefit analysis of each proposal.

It is with these principles and key considerations in mind that Canada offers the responses below.

Question for consultation #1

Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making.

Questions that Member States may wish to respond to in this regard may include:

In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?

Roles and methods of the Executive Board (EB)

Canada believes that the EB roles should be strengthened in order for it to better perform the functions set out in Article 28 of the WHO Constitution. Overall, the EB should be providing the WHO Secretariat strategic advice to guide the organization in its response to major global health

issues and challenges. Given the increasingly complex public health issues facing us, and the robust guidance that the Secretariat requires to address them, the modalities for EB sessions should allow for meaningful exchanges/debates amongst EB members. For these roles to be fulfilled, the EB's methods of work would need to be amended or improved.

Roles and methods of work of EB Officers

Canada wishes to underscore that it is open to the idea of EB Officers playing a more substantial role than what they have traditionally played.

The idea is that if the EB Bureau Officers are to represent their regions, then this change needs to be carefully considered as they are not the regional coordinators and do not currently have the natural network set up to relay information. Consideration may need to be given to combining this role of Officer/regional coordinator (see FAO) or ensuring that a network is built to communicate if Officers are to be regional representatives in their role as the DG's "bridge" between EB meetings.

Member States are invited in addition to identify specific measures that might be considered.

Canada would like to offer a few measures ("low hanging fruits") for consideration:

...for Member States:

- While difficult to enforce, it should be made clear that statements should not focus on domestic health issues and action. Statements should focus on providing clear guidance to the Secretariat about work needed at the global level and how the work needs to relate to other efforts in other global fora, including other parts of the UN systems. Canada reiterates the proposal we had made in our written submission to the online consultation "Governance reform: follow-up to decision WHA69(8) [...]", regarding the development of WHO Secretariat guidelines for Member States in this respect.
- Statements do not need to be made on all agenda items – there is merit in focusing statements on a key set of items, according to national contexts and priorities.
- Regional statements can and should be used more often – there is merit for any Member State in considering remaining silent on an item when key guidance is reflected in those statements. This will require a culture shift, but could be enforced by working with the regional coordinators.
- The Chair's use of the gavel/the red light must be respected.
- Unless it is to help expand the consensus on an issue, avoid statements of agreement with other Member States – silence means agreement.

...for WHO Secretariat:

- Reports by Secretariat in support of EB discussions should be released no less than 3 weeks in advance. If this deadline is missed, the topic would be dropped (best practice from other UN orgs). Member states cannot prepare thoughtful reactions without enough lead time.
- Reports should include the technical and political dimensions of a given issue. In the context of the SDGs, it has become more important than ever to provide clear and detailed information about how WHO is engaging with others in the global health architecture and the

larger context, given that many determinants of health fall outside of the health sector. Instead of asking for Member State guidance in general terms, these reports should have specific questions on which guidance is sought. This could help elicit more strategic Member State guidance.

- Recognizing that time constraints are a reality, WHO Secretariat could revert back to an earlier practice where it intervened before Member States start speaking. This approach could provide key additional information, beyond what is provided in the reports, and enable EB members to adjust their guidance as need be.

Question for consultation #2

Should measures similar to those identified above from practice in other organizations and WHO bodies be adopted as appropriate?

Canada welcomes the concept of taking best practices from other organizational models, recognizing that each organization is unique and that the WHO specific context needs to be considered. WHO should not make decisions on the basis of what others seem to be doing better, without first carefully looking at these models' strengths, threats, opportunities and weaknesses (SWOT) as they currently exist, and how they might be applied to WHO. These analyses should include key informant interviews from the organizations under study.

Questions that Member States may wish to respond to in this regard may include:

Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?

Yes. As in the PAHO approach, Canada recommends that the WHO explore the possibility of making proposals to sunset all resolutions that do not require subsequent monitoring; whose lifespan has ended and/or whose commitments are considered to have been met or have been revisited in a subsequent resolution; whose lifespan has not been stipulated, but the conditions that gave rise to them are considered to have changed, making them irrelevant; and, all resolutions that have been superseded by another more recent one.

Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

Canada is in agreement with measures that could help mitigate the need for substantive Member State negotiations during governing body sessions, which divert the EB's and Assembly's attention away from the official agendas. How would such committees be configured? Would all member states or only a select few be included? Consideration should be given to any additional costs and the burden of intersessional work. Canada believes that any committee would need to include mechanisms to ensure that they are as transparent as possible.

We believe that failure to do so would not yield the expected benefits, and may still require substantive discussions and negotiations during the EB and WHA. More information on this proposal would be required if it were to be taken forward.

Canada believes that the PBAC should be empowered to make decisions.

Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?

Yes, this distinction is highly welcome, and a good best practice from other fora. It would be up to the Bureau to make this distinction when they set the agenda. In PAHO Executive Council (EC), when a discussion is not scheduled on items for decision, the Secretariat gives a presentation and the EC Chair or President ask whether Member States have concerns with the proposed decision. This would allow concerns to be raised if necessary, but ideally the item would simply be noted. Nevertheless, Member States' views about which items require a discussion and which do not, may differ so some discussion may ensue.

Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?

To some extent, Member States already deliver regional statements on a set of issues by regional groups. However, Canada would caution against a strict requirement as views on health issues can vary within regions. Working with the regional coordinators, WHO Secretariat could actively encourage more frequent use of this approach, where possible. It could also encourage Member States who align themselves to a regional statement not to deliver a national statement, unless they have additional guidance for the WHO Secretariat – which is not focused on national action or context.

Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

Canada reiterates the need to ensure that EB sessions remain as inclusive and transparent as possible. Any changes to the current approach would need to be consistent with legal requirements as laid out in the WHO constitution.

That being said, non-EB members could perhaps submit written comments for the record as an alternative to verbal statements. Under such an approach, they would need to work with EB members from their regions to have their views reflected in discussions. Another option could be to restrict time provided to non-EB members for interventions.

Canada would be interested in knowing how changes to speaking rights would affect non-Governmental organizations, seeing as their views are crucial in addressing the global health challenges that we discuss at the EB. \

Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?

We see merit in creating a platform, available through the WHO Governing Body website, where Member States wishing to share national experiences could post their national interventions. However, Canada notes that Member States already bear a heavy reporting burden under a great number of mechanisms. At the commencement of the relevant discussion, WHO Secretariat could draw attention to the availability of these statements. Official summary records could make a reference to these full written statements.

Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

Canada supports this best practice. We find that the late posting of relevant WHO Secretariat documentation inhibits the careful analysis of the topics by national experts and appropriate consultations with non-health actors in and outside of governments, thus resulting in less than optimal Member State guidance to the WHO. When documents are not available in all official languages, this problem not only impacts the quality of the guidance, but also the principle of inclusiveness.

Statistics on what percentage of documentation is posted three weeks in advance of a session, in all official languages, would be helpful.

Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?

The WHO Constitution, in Articles 18 and 28, outlines a clear division of labour between the two organs, but in practice there is little difference between them. While we are of the view that an effective division of labour will surface when the EB's methods of work are strengthened and operational, the following vision for a practical division of labour is one option that could be explored:

- EB: endorses all decision points and reports them to WHA; identifies and studies key issues; makes recommendations and provides advice for WHA's consideration; gives effect to the decisions and policies of the Assembly;
- WHA: endorses all resolutions on new direction/expansion of WHO's mandate; elects Director General; approved budgets and programmes of work;
- Empower PBAC to make decisions: EB receives and notes progress reports on administrative and budget matters (e.g. staffing, compensation, funding, etc.) and reports decisions of PBAC directly to WHA.

Should video tele-conferencing be available for meetings and consultations?

Canada believes that tele-conferencing should be available for relevant intersessional meetings and consultations. Provided that the technology is reliable, and that the modalities of meetings

are conducive, this could facilitate Member State participation in key discussions and thus greatly contribute to making WHO more inclusive. Precautions would need to be taken for on-camera discussions.

Questions for consultation #3

Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

Yes.

Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

Canada recognizes the difficulties the EB faces when preparing the provisional agenda for the WHA. We believe it is necessary to critically review and have clear rules for the inclusion of proposed agenda items. The amendments proposed in the annex to document A70/51, relating to the first option, provide for assessment of agenda items based on importance, urgency (for which detailed definition is needed) and burden level, and as such, allows for stronger agenda management than the second option. We believe that by establishing clear rules for the inclusion of agenda items, the WHA can focus on items of highest priority.

Questions for consultation #4

Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

Canada supports the proposal to remove the distinction between "new activities to be undertaken by the Organization" (Rule 11) and "other supplementary items" (Rule 12), so as to streamline the current process and have one rule governing proposals for additional items. Currently, the distinction between a "new activity" and "supplementary items" is unclear, and minimal, at best, with both instances ultimately resulting in an additional item to be considered for the agenda.

What criteria should apply to any such proposals? In particular, what timeline for submission should apply? Should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?

Establishing clear criteria would enable a more critical review of proposed agenda items, allowing the WHA to focus on items of highest priority. Criteria to be considered could include: the importance of the issue; its urgency; and the burden level of the proposed item. Of course,

the parameters of the chosen criteria would have to be clearly defined in order to ease operationalization.

To assist in the assessment of any proposed additional items, Canada agrees that proposals for these items should include a supporting statement clearly outlining the rationale, and how it meets the defined criteria. The practice of including an explanatory memorandum with proposed agenda items for the EB should be extended to WHA.

With regard to the timeline for submissions, it needs to ensure sufficient time for assessment of criteria and subsequent prioritization. As such, Canada agrees with the timeline of six weeks before the date of the opening of the session, as outlined in Rule 11. Only newly emerging issues requiring an urgent response should be allowed to be added after the six week deadline. There will be instances where new issues arise that are not necessarily emergencies; in this case, perhaps the support of a certain number of Member States would be required (i.e. emulate the rule for a special session of the EB).

In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

Canada supports the notion for more clarity regarding timelines and procedures, but also notes that Member States must be responsible for ensuring these timelines are respected and that the Secretariat enforces the rules. It may also be worth considering reducing the deadlines to 10 working days before the commencement of regular sessions, and 5 days for special sessions.

Question for consultation #5

Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Yes. We recommend that all proposals for amendments be accompanied by risk-benefit analyses and clear examples for consideration.

Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Yes.

Questions for consultation #6

Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

Yes. Conscious of time in recent governing body sessions, Canada has at times delivered shortened statements, and submitted our full written statements for the record. That being said, we believe that not intervening at all is another option, especially if a Member State's interventions can readily be found online on the day that the item is discussed.

If so:

Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?

It should be available for all proceedings.

Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?

They should be placed on the WHO website with cross-references to this website in the summary records.

Should such written statements be subject to limitations as to length?

Yes. Much like oral statements are limited, so too should written statements.

Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?

For EB members, yes. However, if the EB moves to a model where only members can speak, then non-members would need to be able to submit comments on any matter, thus allowing the Secretariat to consider their guidance.

Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?

No, as this would likely not effectively add value to the discussions taking place at EB or WHA. The approach could even divert the attention away from these official discussions and create two competing platforms for dialogue.

Question for consultation #7

Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Yes.

Questions for consultation #8:

Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

Canada believes that the requirement for a hard copy of the credentials could be dispensed with.

Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

Canada believes that the most efficient approach should be considered.

Questions for consultation #9

Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

Canada supports the amendment of the Rules of Procedure to replace gender-specific language with gender-neutral language throughout the document. There are several instances in the Rules of Procedure in which there are masculine references (e.g. "his delegation") that are no longer accurate or reflective of the current reality within these governing bodies. As the WHO continues its efforts to achieve gender equality, not only in its work but within the organization itself, Canada considers that it is critical that the language in this procedural document also reflect these efforts and values.

Should other WHO documents, other than the WHO Constitution and other treaty-level documents, also be amended to replace gender-specific language throughout with gender-neutral language?

Yes.

Questions for consultation #10

Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

Regarding the Rules of Procedure of the Executive Board:

Canada wishes to underscore that the current Rules 28 bis and 28 ter can result in contradiction. In the context of a regular EB session, for instance, the former stipulates that proposals can be introduced “until the close of the first day of the session”, while the latter permits that they be circulated to all delegations at least 24 hours prior to the EB discussion of the related item.

Canada believes that neither Rule 28bis nor 28 ter adequately reflects the need to provide sufficient time for delegations to consider proposals. In our view, the rules should be amended to ensure that proposals for decisions or resolutions are introduced at least 10 working days before the commencement of a regular session of the EB, and 5 working days before a special session. There could be a special provision for proposals on urgent matters that would allow for their late introduction.

The only exceptions permitted should be based on the consensual decision of the 34 members of the EB.

Regarding the Rules of Procedure of the Health Assembly:

Similar to what we offered above, given the increasing complexity of the issues addressed by the WHA, Canada is of the view that the Member States should be afforded time to appropriately review and consult on proposals related to agenda items.

We believe that any exception to Rule 50 should be the purview of Member States, based on consensus, not the President of the Assembly.

Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

Yes, for reasons we described above.

Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

Canada recommends that the rule be revised to permit exceptions for proposals on urgent matters.

Questions for consultation #11

Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

No. Canada strongly recommends that the number of Alternates on delegations remain at the discretion of Member States. Given that in many instances Delegates are in Geneva for the first few days of the WHA only, Alternates play a crucial role in WHA given their right to speak and vote in plenary sessions and meetings of the committees. In our view, the size of WHA agendas and the number of meetings that delegations typically have on the margins of the main agenda require having more than three officials with these dual rights to speak and vote in plenary *and* committee.

Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

Yes. Canada suggests amendments be made in that regard to clarify that point.

Question for consultation #12

Should the provisions relating to verbatim and summary records to reflect more closely the current practice?

Canada is pleased with the current practice, which we see as the best value for money. In our view, completely abiding to the Rules of Procedure, while ideal, would result in a significantly higher burden on WHO Secretariat. In light of this, Canada recommends that amendments be made to the rules referred to in footnote 22 to reflect the current practice. .

Question for consideration #13

Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

Yes, as this would reflect the current practice in WHO governing bodies.

Questions for consultation #14

Should “open meetings” of the Executive Board be renamed as “private meetings”?

Yes, this would be much clearer and more factual.

Question for consultation #15

Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

Canada strongly feels that they should. The successful conclusion of negotiations leading to FENSA was a significant organizational challenge and major accomplishment. The resulting agreement is a key policy instrument for WHO. Given that FENSA governs WHO's relations with all non-State actors, and may lead to WHO decisions that can be challenged by parties governed by the policy, all governance documents should be revised to align with the provisions and terminology of FENSA. Doing so will limit perceived ambiguities and contradictions among governance policies and thereby lessen the probability of challenges to the decisions made by WHO under FENSA.

Colombia

Informal Consultation on the Methods of Work of the Executive Board and the Rules of Procedure

Colombia Contribution

1. Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:

- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?

Debe mejorar especialmente en la definición y uso efectivo de los criterios de incorporación de temas en el orden del día. Se deben centrar los esfuerzos en que esto sea basado en criterios objetivos. Además, se debe avanzar en la racionalización de los temas de agenda.

- Member States are invited in addition to identify specific measures that might be considered.

Creación de criterios objetivos para la evaluación de pertinencia de temas. En este sentido, es fundamental conocer los resultados de la prueba que el Consejo Ejecutivo solicitó a partir de la lista de criterios y factores para esta priorización, incluidas en el documento EB 141/5.

2. Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?

Consideramos que este tipo de procedimientos si debería ser adoptado por la OMS/OPS para generar uniformidad en los métodos de trabajo de la Organización y que estén en línea con los métodos de otras entidades del sistema de Naciones Unidas. Debería ser adoptado como un procedimiento opcional, así los países tienen la oportunidad de utilizarlo siempre que sea conveniente.

Se podría pensar en un sistema automatizado que permita ir depurando las resoluciones, de forma que sea más fácil la consideración de los temas que no deben ser priorizados. A partir de esto, se podría decidir si las resoluciones deben ser sun-setted. Consideramos que es necesario emprender acciones de este tipo que permitan racionalizar los temas de agenda.

- Should the Executive Board establish a technical or other subcommittee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

Consideramos que la creación de comités o subcomités adicionales a los que existen actualmente puede acarrear un desgaste tanto para la organización como para los países miembros en términos de tiempo y costos financieros. Estas tareas pueden ser ejecutadas por los órganos consultivos existentes actualmente.

- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?

Si, deberían diferenciarse los asuntos donde se tomarán decisiones, de los asuntos que son plenamente de información. Esto debería señalarse de alguna forma en la agenda provisional desde que se publique la primera versión de la misma.

- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?

Consideramos que es importante que se mantenga la dinámica actual y que siga siendo posible que se presenten intervenciones regionales o grupo de países, así como intervenciones en capacidad nacional. Si bien es cierto que las intervenciones regionales son una herramienta para la eficiencia en estas discusiones al agrupar las posturas uniformes de las regiones, las intervenciones en capacidad nacional no pueden dejarse de lado completamente. Es entendible que en muchos temas no se logre llegar a posiciones comunes, por lo tanto, es necesario mantener el espacio para que los Estados se pronuncien en capacidad nacional.

- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

No, el espacio para intervenir debe estar abierto a miembros y observadores, aunque en el caso de observadores el tiempo debe ser mucho más corto y se debe ser estricto con limitar la extensión de las intervenciones. Es positivo obtener la retroalimentación de los países en este espacio, pues permite avanzar en la preparación y en las discusiones de la Asamblea Mundial de la Salud, además involucrar y mantener el interés de las demás partes.

- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?

Estaríamos de acuerdo en la creación de estos canales para los fines señalados, siempre y cuando los datos recaudados de los países sean publicados y estén disponibles para consultar de forma pública en la misma página donde se encuentren los documentos de trabajo y demás documentos relativos a cada reunión. Es importante mantener la retroalimentación de forma que se mejoren los procedimientos y todas las partes involucradas puedan mejorar.

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

Si, esto contribuye a una mejor preparación por parte de los Estados y a mantener las condiciones de igualdad entre los diferentes idiomas que maneja la organización. También todos los documentos de trabajo deberían estar disponibles con al menos tres semanas de antelación a la reunión, sin excepción.

- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?

Consideramos que ya existe esta división, en cuanto le corresponde al EB facilitar el trabajo de la Asamblea y lo viene haciendo con la discusión previa de decisiones y resoluciones, que en muchos casos llegan cerradas a la Asamblea.

Sería importante avanzar en las discusiones sobre el papel de los asuntos de información, teniendo en mente que tan relevante es que se presenten al EB o si es suficiente con presentarlo a la Asamblea. Propondría que los asuntos de información se presenten directamente a la Asamblea y se abra allí el espacio para posibles comentarios, al ser un asunto de interés general para todos y evitando así que se repliquen discusiones.

- Should video tele-conferencing be available for meetings and consultations?

Si debe estar disponible para consultas, pero las reuniones deben ser presenciales. Esto con el fin de garantizar la presencia de los representantes al EB y de mantener el nivel de importancia de este órgano consultivo.

3. Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

Si, esta fue una propuesta que apoyamos en la pasada reunión del Consejo Ejecutivo de la OMS. Serviría como una herramienta a disposición de los miembros del EB que permitiría tener un contexto claro sobre el tema y los objetivos de proponerlo dentro de la agenda, de forma que los Estados puedan participar activamente en su discusión.

Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

Aunque las dos opciones son prácticamente iguales, la primera opción debería ser adoptada, pues es un poco más restrictiva sobre la consideración de posibles puntos de la agenda propuestos. Esta permitirá depurar los puntos de la Agenda de la AMS y que sean los mismos Estados quienes evalúen la pertinencia en la inclusión de ítems, no la Secretaría.

4. Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

Estamos de acuerdo en que debería haber una sola regla que rija la consideración de ítems en caso de urgencia. Se debe establecer una regla que sea más precisa y de claridad sobre la incorporación en la agenda de temas urgentes. La regla 11 no es clara y podría ser suprimida, limitando la recepción de temas a los plazos establecidos bajo el procedimiento normal. Por otro lado, se debería hacer mayor claridad en qué criterios objetivos y específicos hacen que un ítem pueda ser aceptado como suplementario y ser incorporado a la agenda como un asunto urgente.

What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?

Se deberían aplicar los criterios y los requisitos del instrumento que fueron aprobados en el documento EB141/5, en el pasado Consejo Ejecutivo.

Nos es indiferente el "timeline for submission", pues si se trata de un ítem "urgente", debería existir flexibilidad para presentar propuestas de inclusión de ítems este tipo en las agendas de las reuniones.

Siempre debería haber una posibilidad para presentar ítems en caso de urgencia por que una emergencia de gran magnitud es impredecible, y necesariamente tiene que existir la posibilidad de entrar a abordar y discutir este tipo de situaciones en el momento que se requiera.

De ser posible, las propuestas si deberían ir acompañadas de un statement o un documento explicativo sobre la importancia y la urgencia detrás de la propuesta.

In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

Si, se debería establecer un plazo.

5. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Si Estamos abiertos a discutir posibles reformas a las reglas de procedimiento.

- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Si. Estamos abiertos a discutir estos cambios. Es importante que la Secretaría tenga en cuenta que este debe ser un proceso abierto en el que todos los Estados puedan participar.

6. Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

Sí, en adición o a menos que el Estado así lo quiera, pero sin que las declaraciones escritas reemplacen a las declaraciones orales.

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?

Sí, para los reportes de progreso o los asuntos de información en los que pocos Estados presentan comentarios sustanciales o se den debates considerables.

- Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?

Sí, son insumos importantes que pueden ser útiles para los demás Estados y para la Organización.

- Should such written statements be subject to limitations as to length?

Si. Deben estar sujetos a las mismas limitaciones en palabras que las declaraciones orales.

- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?

Si. Deberían ser limitados justamente a las cuestiones que se colocan como ejemplos. Deben estar limitados al tema del ítem a tratar.

- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?

No, no lo consideramos necesario.

7. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Si. Las votaciones por medios electrónicos pueden representar herramientas de eficiencia temporal para las reuniones. Esto, siempre y cuando existan las garantías necesarias para el desarrollo de las votaciones.

8. Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

Sí, es necesario que la Organización se adapte y haga uso eficiente de las nuevas tecnologías.

Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

Se debe mantener el Comité de credenciales, de manera que se mantenga la independencia de los oficiales de la Organización.

9. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

Este tema puede llegar a ser complejo, ya que en cada idioma el lenguaje de genero se puede llegar a manejar de forma diferente. Sin embargo, consideramos que se debe propender por que el lenguaje sea neutro en la medida de lo posible.

10. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

Should the current time limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

Si. Esto ayudaría a nutrir las discusiones, haciendo más abierto e inclusivo el proceso. Consideramos que los proyectos de resolución/decisión deben presentarse **1 mes previo al inicio de la Sesión del Consejo Ejecutivo y la Asamblea Mundial de la Salud**. Aunque de la misma forma se debe hacer más estricto el límite de tiempo para que los documentos de trabajo estén publicados en la página de la OMS con la antelación suficiente para que los países puedan estudiarlos y así elaborar oportunamente sus propuestas de resolución. Sin los documentos de trabajo publicados a tiempo, no se puede pedir a las delegaciones que presenten sus propuestas de resolución con un límite de tiempo muy estricto.

Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

No tenemos comentarios sobre esto.

11. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

No, consideramos que el Estado es el primer responsable de designar los delegados que lo representan y por lo tanto no consideramos que se requieran restricciones.

Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

Consideramos que sería positiva esta aclaración para futuras votaciones en la Asamblea.

12. Should the provisions relating to verbatim and summary records reflect more closely the current practice?

Si, consideramos que la práctica actual es positiva.

13. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

No. Sería muy difícil definir bajo qué criterios se puede dar por terminado un debate y se puede prestar a coartar algunas posiciones nacionales.

14. Should “open meetings” of the Executive Board be renamed as “private meetings”?

Si

15. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

Si. Para que haya uniformidad en el lenguaje que se utiliza en los asuntos procedimentales de toda la organización.

(English version)

Informal Consultation on the Methods of Work of the Executive Board and the Rules of Procedure

Colombia Contribution

1. Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:

- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?

Various improvements could be made, particularly on defining and enforcing the criteria for including items in the agenda. An effort should be made to ensure that this process is based on objective criteria. There should be further discussion on streamlining agenda items.

- Member States are invited in addition to identify specific measures that might be considered.

Establishing objective criteria to assess the appropriateness of agenda items. We need to know the outcome of the pilot exercise requested by the Executive Board, based on the set of prioritization criteria and factors listed in document EB 141/5.

2. Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?

We think that WHO/PAHO should adopt this sort of procedure to ensure uniformity in the working methods of the Organization, which would also be in line with the approach followed by other bodies in the United Nations system. This procedure should be optional, so that countries can resort to it if and when appropriate.

The system could be automatic so as to purge resolutions on an ongoing basis, thereby making it easier to review items that should not be prioritized. It could then be decided whether the resolutions should be sun-setted. This is the kind of action we need to take to streamline agenda items.

- Should the Executive Board establish a technical or other subcommittee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

In our view the establishment of additional committees or subcommittees would squander the time and financial resources of the Organization and its Member States. These functions should be carried out by the existing advisory bodies.

- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?

Yes, a distinction must be drawn between items requiring a decision and those exclusively for information. This distinction should be indicated somehow in the first draft of the provisional agenda.

- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?

We think it important to maintain the current dynamic and to continue to present statements on behalf of regions or groups of countries, in addition to statements made in a national capacity. While it is true that regional statements make for efficiency in the discussions because they uniformly consolidate the positions of the regions, statements made in a national capacity cannot be disregarded entirely. Clearly, it is not possible to arrive at common positions on many items, so we need to preserve a forum where States can make their national voice heard.

- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

No, the floor should be open to members and observers, although in the case of observers the time limit for delivering statements should be much shorter and should be rigorously enforced. It is useful to get feedback from countries in this forum, as this facilitates the preparations for and discussions in the World Health Assembly, in addition to engaging and maintaining the interest of the other stakeholders.

- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?

We agree with the establishment of channels of this kind for the purposes specified, provided the data gathered in this way are published and made available for public consultation on the same page as the working documents and other items relating to each meeting. It is vital to maintain feedback in order to improve procedures on the part of all the stakeholders concerned.

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

Yes, this helps States with their preparations and maintains equality between official languages. In addition, all working documents should be available at least three weeks before the meeting, without exception.

- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?

This already exists, we think, in so far as it is the role of the EB to facilitate the work of the Assembly through prior discussion of decisions and resolutions, which in many cases arrive ready-made at the Assembly.

It would be useful to consider in more depth the role of the information matters, the question being whether they are so important that they need to be presented to the EB or whether it is sufficient to present them only to the Assembly. We propose that information matters should be presented directly to the Assembly, which would then be the forum for any comments, given that these matters are of general interest and duplication of discussions would thereby be avoided.

- Should video tele-conferencing be available for meetings and consultations?

Yes, it should be available for consultations, but meetings should be attended in person, in order to guarantee the participation of representatives at the EB and maintain the level of importance of this advisory body.

3. Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

Yes, this was a proposal we supported at the last meeting of the WHO Executive Committee, as a tool available to EB members to put the item clearly in context and understand why its inclusion in the agenda is being proposed, so that States can have a meaningful discussion on the issue.

Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

Both are virtually identical, but the first one should be adopted, because it is slightly more restrictive regarding the consideration of any proposed agenda items. It would help to purge WHA agenda items and it ensures that the decision on whether or not it is appropriate to include a given item belongs to States rather than the secretariat.

4. Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

We agree there should be just one rule governing the consideration of items in emergencies. The rule on the inclusion of urgent agenda items should be as precise and clear as possible.

Rule 11 is unclear and should be abolished, limiting the receipt of items to the time frame established under the normal procedure. In addition, more clarity is needed on what objective and specific criteria determine whether an additional item should be accepted and included in the agenda as an urgent matter.

What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?

The criteria and requirements of the instrument approved at the most recent Executive Board, contained in document EB141/5, should be applied.

We have no feelings either way regarding the “timeline for submission”, but if the item in question is “urgent”, there should be flexibility to submit proposals to include items of this nature in meeting agendas.

There should always be the opportunity to submit items in emergencies because large-scale emergencies are unpredictable, so there should necessarily be the opportunity to submit, address and discuss this kind of situation as and when required.

To the extent possible, such submissions should be accompanied by a statement or explicatory document on the importance and urgency behind the proposal.

In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

Yes, a time period must be established.

5. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Yes, we are open to discussing possible reforms of the Rules of Procedure.

- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Yes, we are open to discussing changes of this kind. The secretariat must bear in mind that this has to be an open process States can participate in.

6. Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

Yes, in addition or instead of if a State so wishes, but written statements should not replace oral statements.

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?

Yes, for progress reports or information matters where few States make substantive comments or no lengthy debate takes place.

- Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?

Yes, they are important inputs that might be useful for other States and the Organization.

- Should such written statements be subject to limitations as to length?

Yes, they should be subject to the same word-length limitations as oral statements.

- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?

Yes, they should be limited to the matters cited as examples. They should be limited to the item under discussion.

- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?

No, we do not think this is necessary.

7. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Yes. Electronic voting is a time-saving tool in meetings, provided the necessary guarantees exist for the conduct of the voting.

8. Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

Yes, the Organization must adapt and make effective use of new technologies.

Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

The Credentials Committee should be maintained, as should the independence of the officers of the Organization.

9. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

This topic could become complicated, because gender-specific language is different in each language. That said, we think that the language used should be as neutral as possible.

10. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

Should the current time limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

Yes. This would help to inform the discussions by making the process more open and inclusive. We think that draft resolutions/decisions should be submitted **1 month prior to the start of the session of the Executive Board and the World Health Assembly**. But at the same time the time limit for publication of working documents on the WHO web site should be more strictly enforced: these documents must be published sufficiently early to enable countries to study them and prepare their draft resolutions in good time. If the working documents are not published on time, delegations cannot be expected to submit their draft resolutions according to a strict time limit.

Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

No comments on this.

11. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

No, in our view States have the primary responsibility of designating who will represent them and therefore we believe that restrictions are unnecessary.

Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

This clarification would be useful for future votes at the Assembly.

12. Should the provisions relating to verbatim and summary records reflect more closely the current practice?

Yes, we believe that current practice is positive.

13. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

No. It would be very difficult to define under what criteria a debate should be suspended and such a step could place restrictions on national positions.

14. Should “open meetings” of the Executive Board be renamed as “private meetings”?

Yes.

15. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

Yes. To ensure consistency in the language used in procedural matters across the Organization.

Denmark

Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly

- Paper for consultation with Member States –

Question 1

Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:

- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?
 - **Comment:** Good governance is key to achieving a WHO fit for purpose and continued reform of the governing bodies must aim at strengthening efficiency, effectiveness, transparency and accountability. Denmark welcomes the proposals put forward in this document and would like to highlight the following.

The Executive Board should not become a smaller version of the World Health Assembly and a clearer division of functions between the governing bodies is necessary. Denmark would like to highlight the importance of open meetings to ensure transparency and involvement of non-EB members. Participation in the EB meetings can help Member States obtain a common understanding on how items will be handled and thereby contribute to building consensus.

However, an additional closed meeting ahead of EB in January between members of the Board could help prepare and fast track some technical items in order to decrease the number of agenda items on the EB agenda in January. Moreover, the Board could establish subgroups or subcommittees to deal with selected technical matters.

In addition, expanding the use of video-teleconference to various meetings and consultations could make it easier for Member States to participate in relevant discussions without having to travel to Geneva.

We do not support the option to have questionnaires distributed to Member States in advance of governing body meetings, as this will put additional burden on Member States.

Finally, an additional proposal could be to put a limit on the total number of statements for non-EB members to put forward during EB meetings or alternatively to limit the total speaking time of non-members.

- Member States are invited in addition to identify specific measures that might be considered.
 - **Comment:** Please see the answer above.

Question 2

Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-settled?
 - **Comment:** Yes, Denmark supports both proposals.
- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?
 - **Comment:** As mentioned above, the Executive Board could decide to establish subcommittees to handle technical items. However, these committees should refer to the Board and not directly to the Assembly.
- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?
 - **Comment:** Yes, the EB agenda should distinguish between items that require discussion and those where a decision is expected to be taken without discussion.
- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?
 - **Comment:** EB members do not represent the regions but the Board could encourage the provision of regional statements where possible.
- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?
 - **Comment:** More discussion is needed on this point. Denmark strongly supports the ambition to make the EB more efficient, including limiting the number of statements from non-EB members. In that regard, Member States must become more disciplined and minimize country statements that primarily address national experiences. Furthermore, management of meetings could be strengthened and the WHO could introduce a limit on the total number of statements for non-EB members (or alternatively limit the total speaking time of non-members). In addition, the proposal to only permit EB-members to take the floor could be applied to the EB meeting in May.
- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?
 - **Comment:** Member States must become more disciplined in this regard and minimize country statements that primarily address national experiences. However, we do not believe that adding more questionnaires on top of existing reporting requirements for Member States is desirable.

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?
 - **Comment:** There should be a distinction between information documents etc. and documents that need to be formally adopted. Exceptions could be given to the former while new strategies, action plans etc. should be removed from the agenda if the documents are not available three weeks in advance of the session.

- Should a clear division of labor be identified between the Health Assembly and the Executive Board? If so, how?
 - **Comment:** Yes, the EB should play a more executive role and should not become a smaller version of the World Health Assembly. Clearer division of labor between the governing bodies is necessary.

- Should video tele-conferencing be available for meetings and consultations?
 - **Comment:** Yes, EB sessions could be transmitted via tele-conference, however, it should not replace the physical meeting in Geneva.

Question 3

Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

- **Comment:** Yes.

Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

- **Comment:** Rule 11 (new proposals must be received at least six weeks before the session) should apply to non-urgent matters and rule 12 (deadline of six days) only when an item is of a truly urgent nature.

Question 4

Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

- **Comment:** Yes, the rules and deadlines related to new agenda items should be as clear as possible.

What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?

- **Comment:** Proposals for additional urgent items should be received six/two days before the start of a session and accompanied by a supporting statement explaining why the agenda item is urgent. For non-urgent matters, the deadline should be six weeks.

In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

- **Comment:** Any supplementary item with no urgency should be received no later than six weeks before the opening of a regular session.

Question 5

Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?
 - **Comment:** Yes.
- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?
 - **Comment:** Yes.

Question 6

Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

- **Comment:** Yes, but only in addition to oral interventions.

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?
 - **Comment:** The facility should be available for all proceedings.
- Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?
 - **Comment:** Such statements could be recorded in the summary records but it should be clear whether the statement has been delivered in a written or oral form.
- Should such written statements be subject to limitations as to length?
 - **Comment:** Yes.
- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?
 - **Comment:** No.

- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?
 - **Comment:** No.

Question 7

Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

- **Comment:** Yes.

Question 8

Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

- **Comment:** Yes.

Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

- **Comment:** We support keeping the Credentials Committee.

Question 9

Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

- **Comment:** Yes.

Question 10

Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

- **Comment:** Rules of procedure for submission of draft resolutions should be the same for both the Executive Board and the Assembly. Time limits must be followed and late submission of resolutions should be avoided to the largest extent possible. In this regard, procedures adopted by the Regional Committee of the European Region could serve as inspiration.

Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

- **Comment:** Yes.

Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

- **Comment:** No.

Question 11

Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

- **Comment:** No.

Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

- **Comment:** No.

Question 12

Should the provisions relating to verbatim and summary records reflect more closely the current practice?

- **Comment:** Yes.

Question 13

Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

- **Comment:** Yes.

Question 14

Should “open meetings” of the Executive Board be renamed as “private meetings”?

- **Comment:** Yes.

Question 15

Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

- **Comment:** Yes.

Estonia

QUESTIONS FOR CONSULTATION ON RULES OF PROCEDURE

- 1. In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? Member States are invited in addition to identify specific measures that might be considered**

EB should be focused on the technical aspects of preparing the agenda and giving guidance on the documents for WHA and oversee the work of the WHO Secretariat. EB should work to eliminate as many potential disagreements before WHA as possible, WHA should be focused on broader discussion on the issues and their implications. We should consider adding a third EB meeting in November to consider first drafts of the WHA documents and possibly postpone the January EB to early-middle February. This idea was also proposed previously in 2011.

- 2. Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:**

- **Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?**

Yes to both. This was done in the EURO region and has worked well. We would like to hear more about the methodology used for automatic sun-setting of resolutions.

- **Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?**

No, we should focus on making the EB work in its main technical and oversight functions. There are already working consultation processes in place.

- **Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?**

Establishing a third EB meeting in November would help ease this issue and allow for more substantial discussions to take place during the main EB meeting.

- **Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional Statements (rather than having several members of the same group take the floor)?**

This is already done to a large extent, it could be encouraged further, but there shouldn't be any specific restrictions in this regard.

- ***Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?***

It is important to make EB's work more focused, EB members' role is to work constructively towards achieving consensus and forwarding the results of this work to the WHA. We are ready to work on this issue further in order to find a solution.

- ***Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country Statements during the session)?***

During the Open Ended Member State Mechanism on governance reform there was tabled a proposal to establish a good Code of Conduct for the governing bodies' working methods and principles. We think that this question falls into this category – statements at the governing body meetings should be relevant to the topic, discussion and contribute to the broader discussions.

- ***Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?***

No, the focus should be to make the agenda manageable, this should also ease the burden of preparing the documents for the Secretariat.

- ***Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?***

The division of labour already exists: EB should give direction to the Secretariat on technical documents as well as fill the oversight role, WHA is for broader discussions and adopting the documents. These roles should be better realized in practice. In order to facilitate finding consensus on more difficult issues consultations can be held if needed.

- ***Should video tele-conferencing be available for meetings and consultations?***

Yes.

3. ***Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?***

- ***Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?***

Yes, we support the first option to strengthen EB's role as a technical agenda setting body.

4. ***Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary***

items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

Yes

- **What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting Statement explaining the rationale behind the proposal and its urgency?**

There should only be exceptions for actual urgent emergency-related items, these items should be heavily scrutinized by the Executive Board and deferred if they aren't found to be urgent in nature. All other items should follow the standard procedure for proposing new agenda items to the EB agenda (not later than 12 weeks after circulation of the draft provisional agenda or 10 weeks before commencement of the session, whichever is earlier).

- **In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items?**

Yes

5. **Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:**

- **Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?**
- **Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?**

Yes, the Secretariat should propose the amendment text with track-changes and explanatory comments as to their effects.

6. **Should the rules of procedure be amended to allow delegations to submit written Statements in addition to or instead of oral interventions?**

If so:

This practice has already been used previously. We remain open to finding a solid solution here and request the Secretariat to look at established practice in other International UN bodies.

- **Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?**

We don't support differentiating agenda items in this context. We are concerned that the progress reports are not considered at the Governing Body meetings in the depth that they deserve. These documents are the real overviews, sources of data about the implementation of WHO's work, and we should rather think of how we can better integrate the discussion on progress reports into our agenda and discussions.

- ***Should these Statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?***

We support the way it currently is, however the problem of oral and written statements differing should be considered as well.

- ***Should such written Statements be subject to limitations as to length?***

They should be as close to oral statements as possible, for example a single A4 page or 350 words maximum.

- ***Should such written Statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?***

No, there is no realistic way to do this.

- ***Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written Statements?***

No, this does not seem feasible for written statements.

7. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Yes, it would save a lot of time. Different international organizations (like ILO) in Geneva are already using such a system.

8. Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

Yes, the online system is a welcome tool.

- ***Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?***

We are fine with keeping the Credentials Committee.

9. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

Yes.

10. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

- ***Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?***

We would recommend using the procedure used in the WHO EURO Regional Committee for both the EB and WHA.

11. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

- **Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?**

We would prefer a simpler, more flexible system with the head of delegation being able choose his/her replacement as necessary.

12. Should the provisions relating to verbatim and summary records reflect more closely the current practice?

We support making verbatim records of all official meetings (EB, WHA Plenary and committees), there is no need to make records of the content of drafting groups the results will be presented in the committees anyway. The records are very useful for getting historical context on different topics.

13. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

Yes.

14. Should “open meetings” of the Executive Board be renamed as “private meetings”?

Yes.

15. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

Yes.

Finland

WHO Governance reform, Member State Consultation

Comments by Finland

18.9.2017

Nro	Question	Finland's reply
1	<p><i>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</i></p> <p><i>- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?</i></p> <p><i>- Member States are invited in addition to identify specific measures that might be considered.</i></p>	<p>We propose to consider reintroducing the praxis of Executive Board retreats, in order to allow for a forum for reflection, discussion and preparation. These meetings should not have decision making powers.</p> <p>The training of Executive Board members is of crucial importance but we also call for more general training in governing issues and methods of work open to all participating in governing body meetings.</p> <p>As regards general governance issues, it would be extremely useful to have web-based training modules that are available continuously for the capitals and missions.</p>
2	<p><i>Should measures similar to those identified above from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:</i></p> <p><i>- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?</i></p> <p><i>- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</i></p>	<p>Before deciding on potential changes to methods of work, it would be valuable to get an overview of best practices from other organizations. Proposals should be complemented with an impact assessment.</p> <p>WHO/EURO has developed a procedure for sun-setting resolutions that would work also on the global level. All future resolutions should be time limited, with a potential to review and continue for another limited period. As issues as such may continue to be relevant for a long time, the actions may need updating. Time limits of resolutions and decisions should be included in the ROPs.</p> <p>Any subcommittee under the EB derives its powers from the EB, and should not therefore be considered to have independent decision-making powers. Subcommittees could be considered on a case by case basis, only on a limited term. The first priority, however, would be to improve the work of the PBAC (primarily to ensure that the persons representing their Governments have adequate training and understanding of the issues and rules discussed in the PBAC).</p> <p>It would help to group items under headings that</p>

<p><i>- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</i></p> <p><i>- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</i></p> <p><i>- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</i></p> <p><i>- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</i></p> <p><i>- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</i></p> <p><i>- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</i></p> <p><i>- Should video tele-conferencing be available for</i></p>	<p>clarify the level discussion/decision expected. However, the right of the Members of the Executive Board to speak on any agenda item should not be limited by an advance decision by the bureau.</p> <p>Also, it would help small countries to prepare better for the Governing Body meetings, if the expectations for each agenda item are laid out clearly and early on the annotated agenda. The Secretariat should include clear questions to Member States in either its reports or the annotated agenda in order to guide Member States' preparations.</p> <p>Regional collaboration is developed at different levels in different regions, and is clear that regional cooperation ahead of EB meetings can only be recommended, but not required. We do not support this kind of approach as it may produce unexpected impacts on how the Regions' function.</p> <p>Limiting the right to speak for Member States would be difficult, and Finland does not support this avenue. We could consider allowing different speaking times for Members and non-Members of EB.</p> <p>Using electronic platforms for Member States to share their experiences should be developed. However, we do not support increasing the number of questionnaires sent to Member States, as they already constitute a considerable burden. All web-based consultation should include a possibility to save/print replies for the records.</p> <p>Removing agenda items from the agenda if the documents are not ready in time, is a complex issue. On one hand Member States need to be given reasonable time to prepare for meetings by providing all documents well in advance of the meeting. On the other hand, failing to deliver documents should not be abused regarding difficult or controversial issues, as an excuse to remove the item. Providing at least draft English version well in advance would help countries to start the preparations.</p> <p>Developing the role of the EB into more executive and expert format, less a kind of mini-assembly would be welcome. This role could be underlined especially when it comes to preparing resolutions and decisions.</p> <p>We welcome the extension of webcasting and the possibility to send questions per email directly to the secretariat.</p>
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	<i>meetings and consultations?</i>	
3	<p><i>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</i></p> <p><i>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</i></p>	All proposals to new agenda items must be accompanied by an explanatory memorandum .
4	<p><i>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</i></p> <p><i>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</i></p> <p><i>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days <u>before</u> the opening of a regular session, or two days <u>before</u> the opening of a special session?</i></p>	<p>We can support removing the distinction. We do not support multiple approaches on how to propose new agenda items. We consider the present approach (proposal with rationale presented in September) sufficient.</p> <p>Only matters that are urgent should be added to the EB agenda after the September deadline of proposals. Once the EB has approved the WHA agenda, only urgent agenda items should be added. In both cases, a high threshold should be applied.</p> <p>The possibility to propose additional supplementary agenda items close to or during governing body sessions should be removed.</p>
5	<p><i>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</i></p> <p><i>- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?</i></p>	We support in principle the streamlining of procedures, including to changes to the ROPS, but would like to emphasise that changing ROPS is in many cases sensitive and may have long term impact that is difficult to foresee. It would help Member States to consider the issue, if the proposals for changes were provided in written beforehand, together with possible examples from other organisations an impact assessment as regards the work of the secretariat, functioning of the governing bodies and preparations and participation of Member States-

	<p>- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?</p>	
6	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</p> <p>If so:</p> <p>- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?</p> <p>- Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?</p> <p>- Should such written statements be subject to limitations as to length?</p> <p>- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?</p> <p>- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?</p>	<p>Clear uniform rules should be developed concerning all meetings for providing written statements and where to access them.</p>
7	<p>Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?</p>	<p>Could be considered, provided we get more information as to the feasibility and timeline.</p>
8	<p>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry</p>	<p>We support the further development of the electronic system.</p>

	<i>out this role?</i>	
9	<p><i>Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</i></p> <p><i>Should other WHO documents, other than the WHO Constitution and other treaty-level documents, also be amended to replace gender-specific language throughout with gender-neutral language?</i></p>	We support gender neutral language.
10	<p><i>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</i></p> <p><i>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</i></p>	<p>The procedures concerning resolutions and decisions need to be further developed. The draft resolutions and decisions, if not provided by the proposing Member State(s), should be proposed by the secretariat and be available at least two working days before the governing body meeting.</p> <p>There could be an option for exceptions in extraordinary conditions with an extremely high threshold.</p>
11	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p>	<p>We do not support any limitations to the size of the delegations or distribution of roles therein. Regarding right of voting, we support simple and clear rules about right to vote that will apply to all types of vote.</p> <p>Regarding voting by lifting the flags, we suggest that the flags of delegations that do not have a right to vote are removed as long as the vote lasts.</p>
12	<i>Should the provisions relating to verbatim and summary records to reflect more closely the current practice?</i>	

13	<i>Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?</i>	We agree.
14	<i>Should "open meetings" of the Executive Board be renamed as "private meetings"?</i>	The names are confusing and we support renaming them.
15	<i>Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</i>	We agree.

France

(French version)

Commentaires France :

1	<p><i>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</i></p> <ul style="list-style-type: none"> - <i>In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?</i> - <i>Member States are invited in addition to identify specific measures that might be considered.</i> <p>La préparation du CE est primordiale pour la fluidité de l'AMS. A cet effet, la France préconise :</p> <ul style="list-style-type: none"> • D'améliorer la préparation du CE en proposant en même temps que l'ordre du jour un calendrier prévisionnel pour la négociation des résolutions / décisions (date limite de dépôt du projet au secrétariat / dates de début et de fin des consultations informelles). • De poursuivre la maîtrise des ordres du jour, en particulier en limitant le nombre de points à l'ordre du jour et en réduisant le temps consacré aux rapports d'information, les délégations pouvant se référer au rapport écrit. • De capitaliser sur les bonnes pratiques et les expériences les plus pertinentes des présidents.
2	<p><i>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate?</i></p> <p>Il convient de s'inspirer des bonnes pratiques des autres OI et des comités régionaux et de les adapter aux particularismes de l'OMS.</p> <p><i>Questions that Member States may wish to respond to in this regard may include:</i></p> <ul style="list-style-type: none"> - <i>Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?</i> <p>Avis favorable pour introduire une clause de caducité dans les nouvelles décisions, mais pas de manière automatique. En effet, certaines décisions ne seront jamais caduques et pour d'autres la caducité est aléatoire ou imprévisible.</p> <p>Concernant les décisions existantes, il n'est pas souhaitable de les revoir toutes pour introduire une clause de caducité. Par contre, pour autant que la décision ait prévu une clause de révision, la révision peut être l'occasion d'introduire une clause de caducité.</p> <ul style="list-style-type: none"> - <i>Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</i> <p>La maîtrise des agendas impose de ne pas multiplier les comités ad hoc. De plus, ce comité</p>

serait en concurrence avec le CE dont les membres tirent leur légitimité de leur élection.

- *Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?*

Avis favorable pour séparer les points avec discussion et sans discussion mais nécessité de prévoir un mécanisme pour que les Etats puissent contester la classification des points. L'ODJ prévisionnel pourrait déjà classer les points avec/sans discussion et les EM accepter ou refuser cette classification, comme ils peuvent proposer d'ajouter/rejeter des points actuellement.

- *Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?*

La pratique peut être encouragée mais pas exigée. Le terme *request* ne convient pas, le terme *encourage* étant préférable.

- *Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?*

Cette évolution est envisageable à condition qu'un accord puisse être trouvé sur les règles de représentation.

- *Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?*

Au-delà des questionnaires, pourrait être proposée une plateforme d'échange des bonnes pratiques dont les modalités d'utilisation seraient à définir.

- *Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?*

Avis favorable pour qu'un point puisse être retiré de l'ODJ lorsque les Etats membres n'ont pas remis les documents dans les temps pour permettre une présentation 3 semaines avant la session. En revanche, le point ne doit pas être retiré de l'ODJ si les documents sont parvenus dans les temps au secrétariat et que le retard est imputable à des considérations essentiellement logistiques..

- *Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?*

La division actuelle semble claire mais pourrait être précisée. Les marges d'amélioration tiennent à davantage d'efficacité du CE et au respect des règles (de dépôt des résolutions, de demande d'ajouts à l'ordre du jour, de temps de parole).

- *Should video tele-conferencing be available for meetings and consultations?*

Les réunions et sessions d'information doivent se faire préférentiellement en présentiel. La visio-conférence est possible en sus et dans la limite de la faisabilité technique.

3 *Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?*

Oui, absolument.

Which of the two options for the Executive Board's role in considering proposals for items to

	<p><i>include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</i></p> <p>La France a soutenu l'option 1 lors de l'AMS, car elle permet au conseil de mieux maîtriser les ODJ et permet d'avancer dans le sens voulu pour la gouvernance. La France reste sur cette position.</p>
4	<p><i>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</i></p> <p>Les nouvelles activités de l'organisation (sauf en cas d'urgence mais c'est prévu) doivent être prévues à l'avance et faire l'objet d'une réflexion approfondie. Dans ces conditions, 6 semaines est un délai minimum.</p> <p><i>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</i></p> <p>6 semaines de délai si la question n'a pas un caractère d'urgence (quel que soit le thème, nouvelles activités ou tout autre thème) et 6 jours ou 2 si urgence (quel que soit le thème).</p> <p><i>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?</i></p> <p>La règle 12 est suffisamment claire, mais la France n'a pas d'objection pour l'explicitier si besoin.</p>
5	<p><i>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</i></p> <p><i>- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?</i></p> <p>Avis favorable pour que le secrétariat identifie les ambiguïtés potentielles et qu'il propose du langage parce que ces modifications auront de fortes implications légales pour lesquelles les orientations du bureau juridique seront indispensables.</p> <p><i>- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?</i></p> <p>Avis favorable pour une révision de la numérotation mais la France ne souhaite pas ouvrir de trop longs débats à un moment où il y a beaucoup d'autres textes importants à négocier. Il est nécessaire de bien calibrer l'exercice qui irait dans le sens de la réforme de la gouvernance.</p>
6	<p><i>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</i></p>

	<p>Avis favorable pour donner la possibilité de faire des déclarations écrites tout en maintenant les déclarations orales, mais sans mécanisme obligatoire pour les déclarations écrites. Il conviendra de définir le périmètre de ces déclarations écrites et les modalités de soumission et de prise en compte dans les débats.</p> <p><i>If so:</i></p> <p>- <i>Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?</i></p> <p>Avis favorable pour que la déclaration écrite puisse être ouverte à tous les sujets, dès lors que la déclaration écrite n'est pas obligatoire. Avis défavorable sur la possibilité donnée au président de renvoyer discrétionnairement un point à des déclarations écrites.</p> <p>- <i>Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?</i></p> <p>Les déclarations écrites peuvent à la fois être citées dans le verbatim et être placées pour information sur le site internet de l'OMS.</p> <p>- <i>Should such written statements be subject to limitations as to length?</i> Comme pour les déclarations orales qui sont limitées à 3 minutes, on peut envisager une équivalence approximative et décider de les limiter en nombre de mots.</p> <p>- <i>Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?</i> Avis favorable pour que les descriptions de pratique nationale puissent se faire uniquement par déclarations écrites. Il n'est pas possible de déterminer avant discussion si un sujet sera non controversé.</p> <p>- <i>Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?</i> Oui.</p>
7	<p><i>Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?</i></p> <p>Oui, dès lors que la sécurité des procédures est respectée (exemple des élections à l'OACI et à Interpol). Il faudra préciser si le vote électronique se ferait à partir des capitales ou en présentiel. La France exprime sa préférence pour le présentiel.</p>
8	<p><i>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</i></p> <p>Avis favorable à la dématérialisation dans la mesure où il s'agit uniquement d'envoyer par courriel une version scannée des pouvoirs signés.</p> <p><i>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</i></p> <p>Les deux options sont acceptables.</p>

9	<p><i>Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</i></p> <p>Oui sur le principe mais sans renégociation.</p>
10	<p><i>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?</i></p> <p>Ces règles devraient être réservées à l'urgence et/ou motivées. L'Etat membre qui soumet une proposition dans ces conditions devrait impérativement la motiver, avec possibilité pour le CE ou l'AMS d'accepter ou pas l'examen du point sans discuter sur le fond.</p> <p><i>Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</i></p> <p>Oui.</p> <p><i>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</i></p> <p>Oui.</p>
11	<p><i>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</i></p> <p>Non.</p> <p><i>Should the rules be amended to clarify that only "delegates" and "alternates" may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</i></p> <p>La pratique actuelle est satisfaisante.</p>
12	<p><i>Should the provisions relating to verbatim and summary records reflect more closely the current practice?</i></p> <p>Oui.</p>
13	<p><i>Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?</i></p> <p>Non.</p>
14	<p><i>Should "open meetings" of the Executive Board be renamed as "private meetings"?</i></p> <p>Oui.</p>
15	<p><i>Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</i></p> <p>Oui.</p>

(English version)

Comments by France :

1	<p><i>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</i></p> <ul style="list-style-type: none"> - <i>In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?</i> - <i>Member States are invited in addition to identify specific measures that might be considered.</i> <p>Preparatory work by the EB is vital to ensure the Health Assembly functions smoothly. France therefore recommends:</p> <ul style="list-style-type: none"> • Improving preparations for the EB by proposing in parallel with the agenda a forecasting schedule for the negotiation of resolutions and decisions (deadline for submitting the draft to the secretariat, dates on which informal consultations begin and end). • Maintaining control of the agenda, specifically by limiting the number of items and reducing the time spent on information reports (delegations could refer to a written report). • Capitalizing on best practices and the most relevant experiences of presiding officers.
2	<p><i>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate?</i></p> <p>WHO should be guided by best practices at other international organizations and the regional committees, adapted to the specific context of WHO.</p> <p><i>Questions that Member States may wish to respond to in this regard may include:</i></p> <ul style="list-style-type: none"> - <i>Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?</i> <p>We favour a sun-setting clause in new decisions, but not an automatic one. Some decisions will never be sun-setted; for others sun-setting is either problematic or its effects cannot be predicted.</p> <p>We do not recommend revisiting all existing decisions to insert a sun-setting clause. But if the decision already contains a review clause, this could be the signal to insert a sun-setting provision.</p> <ul style="list-style-type: none"> - <i>Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</i> <p>Maintaining control of agendas implies avoiding a proliferation of ad hoc committees. Moreover, such a committee would be in competition with the EB, whose members' legitimacy derives from their having been elected.</p>

- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?

We favour distinguishing between items that require discussion and those that do not, but there must be a mechanism to allow States to contest the classification of items according to this scheme. The provisional agenda could distinguish between items which require discussion and those which do not, and Member States could accept or reject this classification, just as they are currently entitled to add or discard items.

- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?

This should be encouraged but not required. The term *request* is misplaced; *encourage* would be preferable.

- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

This could be envisaged, provided there is agreement on the rules of representation.

- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?

In addition to questionnaires, a best-practices platform could be instituted (details to be decided).

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

We favour removing items from the agenda when States have not submitted documentation long enough in advance to allow for submission three weeks before the session. However, an item should not be removed from the agenda if the documents have reached the secretariat on time and the delay is basically due to logistical factors.

- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?

The current division of labour seems clear but could be restated. Areas for improvement should focus on greater efficiency in the EB and adherence to the rules (e.g. on submitting resolutions, requesting supplementary agenda items, allotted speaking time).

- Should video tele-conferencing be available for meetings and consultations?

Members should be physically present at meetings and information briefings. Video tele-conferencing could be a supplementary option in so far as it is technically feasible.

3 Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

Yes, most definitely.

Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

	<p>At the Health Assembly France supported option 1, because it allows the Board to keep better control of the agenda and steer the governance process in the right direction. France maintains this position.</p>
4	<p><i>Should the distinction between “new activities to be undertaken by the Organization” (Rule 11 of the Rules of Procedure of the Health Assembly) and other “supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</i></p> <p>New activities to be undertaken by the Organization (except in emergencies, although this is provided for) should be planned in advance and be examined in depth. In these circumstances, 6 weeks should be a minimum deadline.</p> <p><i>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</i></p> <p>6 weeks’ deadline if the proposal is not an urgent one (whatever the topic, new activities or any other issue) and 6 days or 2 for emergency proposals (regardless of topic).</p> <p><i>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?</i></p> <p>Rule 12 is sufficiently clear, but France has no objection to further clarification if needed.</p>
5	<p><i>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</i></p> <p><i>- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?</i></p> <p>We favour the idea of the secretariat identifying potential ambiguities and proposing language because these amendments will have major legal implications, so guidance from the office of the legal counsel will be essential.</p> <p><i>- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?</i></p> <p>Yes to a revised numbering system but without opening up lengthy debate on this topic at a time when there are plenty of other important texts to discuss. The exercise must be adapted to the general context of governance reform.</p>
6	<p><i>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</i></p> <p>Delegations should be allowed to make written statements in addition to oral statements, without this arrangement being compulsory in any way. Aspects such as the scope of written statements, and the manner in which they are submitted and taken into account in the debates, all need to be clarified.</p>

	<p><i>If so:</i></p> <p><i>- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?</i></p> <p>It should be possible to submit written statements on any subject, provided such statements are not mandatory. We do not agree that the presiding officer should have the discretion to decide whether particular items should be disposed of in the form of written statements.</p> <p><i>- Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?</i></p> <p>Written statements could be reproduced in the verbatim record and posted on the WHO internet site for information.</p> <p><i>- Should such written statements be subject to limitations as to length?</i> Just as oral statements are subject to a 3-minute limit, an approximate equivalence could be envisaged and a decision taken to limit the number of words.</p> <p><i>- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?</i> Yes to the idea that descriptions of national practice should be given in written statements only. It is impossible to predict whether or not an item will be controversial before the discussion.</p> <p><i>- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?</i> Yes.</p>
7	<p><i>Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?</i></p> <p>Yes, provided the security of procedures is respected (e.g. elections at ICAO or Interpol). It should be clarified whether the electronic vote will be cast from capital or those physically in attendance. France prefers the latter option.</p>
8	<p><i>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</i></p> <p>Yes to dispensing with the requirement to provide an original copy, given that a scanned version of the credentials can be sent by email.</p> <p><i>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</i></p> <p>Both options are acceptable.</p>
9	<p><i>Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</i></p> <p>Yes in principle but without renegotiating text.</p>

10	<p><i>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?</i></p> <p>These Rules should be reserved for emergencies and/or should be substantiated. Member States submitting proposals in these circumstances must substantiate them, and the EB or the Health Assembly should be entitled to accept or reject the item without going into the merits.</p> <p><i>Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</i></p> <p>Yes.</p> <p><i>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</i></p> <p>Yes.</p>
11	<p><i>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</i></p> <p>No.</p> <p><i>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</i></p> <p>The current practice is sufficient.</p>
12	<p><i>Should the provisions relating to verbatim and summary records reflect more closely the current practice?</i></p> <p>Yes.</p>
13	<p><i>Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?</i></p> <p>No.</p>
14	<p><i>Should “open meetings” of the Executive Board be renamed as “private meetings”?</i></p> <p>Yes.</p>
15	<p><i>Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</i></p> <p>Yes.</p>

Germany

WHO GOVERNANCE REFORM

Questions:

1. *In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? Member States are invited in addition to identify specific measures that might be considered*

We share the view expressed by others, that the Executive Board (EB) as it functions today does not act like a Board and has a very minimal executive role. The meeting of the EB has now become much more like a smaller version of the World Health Assembly (WHA) and this may be seen as hindering the Board in fulfilling its role as defined in Article 28 of the WHO Constitution.

In general, we consider the role of the Chair of the EB and his/her ability to steer the debate of utmost importance. The Chair should be able to limit the debate to the essential topics and steer the discussion to the questions where Member States' guidance is needed for the Secretariat. Therefore, a special training would be welcomed. However, the selection of EB Chairs has to take the moderation ability more into account than other factors. This could be easily done without any change of the current rules.

EB retreats may improve the work and effectiveness. Alternatively an additional EB meeting (only for EB members) could be an option. Training of EB members is important. Also the selection of EB candidates by Member States.

An additional EB meeting could also be helpful to re-structure the work of the EB. Such a meeting could be restricted to the EB members.

We believe that a major improvements of EB and WHA sessions could be achieved without any changes of existing rules:

Currently, we face the situation, that very often, Member States receive lengthy and very informative documents in preparation of the EB and WHA sessions. The Member States / EB is invited to "provide its guidance", to "note" the reports, to "approve" the reports etc.. For Member States it very often remains unclear, why the agenda item has to be discussed, what specific challenges the Secretariat is facing and to what specific strategic questions, the Member States are supposed to provide their guidance.

This situation is often very unfortunate for Member States committed to support the Secretariat in strategic decision making as it remains unclear from the documents what strategic decision is needed. Therefore, the documents are too often not very helpful in steering the following debate to the essential points where Member States'

guidance is needed most. And unless, a very capable Chair clarifies this at the start of the session, Member States do not seem to be steered at all. However, even if the Chair has this needed ability to focus the debate on the decisive questions, many Member States will read out their prepared statements which were prepared without essential knowledge on what specific questions the Secretariat seeks Member States' guidance. The result often is a very broad, abstract discussion, not adequately focussing on the needs of the Secretariat.

In addition, too often in the past, the outcome of the debate remained rather vague or unclear due to the missing steering capacity of the documents.

Therefore, it would be important to reconsider the way the governing body documents are being prepared. They are the basis for the deliberations of Member States in the governing bodies and should clearly identify on what specific issues the Secretariat seeks guidance and which particular questions have to be answered by the governing bodies. This would certainly be a major improvement for the governing body sessions, as it would enable a clearer focus of the debate and a more transparent outcome of the sessions. This would potentially lead to shorter but much more informative debates.

2. *Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:*

- *Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?*

WHO EURO has developed a procedure for sun-setting resolutions. This procedure could also be used by the Geneva governing bodies. Therefore future resolutions should be time limited concerning the reporting obligations. We also share the view that a review of existing resolution is necessary.

Additionally the reporting requirements should be streamlined and reporting should be done in the same format for all reports.

Like others we are of the opinion that the agenda item "Progress Reports" should again be part of the EB agenda. It was shifted to the WHA some years ago, due to EB time constraints.

- *Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?*

The EB may establish sub-committees, but this should be done only if there is a clear need and a justified added value. Furthermore, this should only be done on a case by case basis. Sub-committees have to be responsible to the Board, without any decision making rights.

With regards to the membership of such bodies, we believe that it could be wise to de-link the membership from the membership of the EB. From our point of view, the necessity to be a member of the EB as a pre-requisite to be a formal member of the PBAC should be reconsidered. First of all, the current pre-requisite limits the potential candidate countries. Furthermore, if there was a broader selection, this could have positive effects on the PBAC meetings as potentially more formal members would be active.

- *Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?*

The EB cannot stipulate on which item a Member State would like to hold a statement. The EB cannot restrict Member States to discuss a certain topic.

- *Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional Statements (rather than having several members of the same group take the floor)?*

Regional statements, to limit the number of national statements, should be encouraged. We share the view, that a more “formal representation of regions” would potentially require a change in the current representative function of Member States sitting on the Board. The varying sizes of the Regions and the sub regional representation will have to be taken into consideration in the case of the larger regions.

- *Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?*

We fully share the view, that the EB should not be a smaller version of the Assembly. Therefore, it is necessary to more explicitly differentiate between the formal EB members and non-EB-members. However, we deem it politically most difficult to restrict interventions by individual Member States. In addition, it might also not be a good solution for the political setting of the Assembly: All non-EB-members would only be able to raise their comments and concerns once a year during the Assembly. This would endanger the Assembly. We would risk that many agenda items would be highly controversial.

However, following the best-practice examples of other international organizations, a way forward could be to differentiate between the speaking times for formal EB members and non-EB-members. While EB member could be allowed e.g. 3 minutes speaking time, this time could be limited to 1 or 1 ½ minutes for non-EB-members. In addition, EB members could be allowed to take the floor more than once during a specific agenda item, while non-EB-members are only allowed to speak once.

- *Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country Statements during the session)?*

Technical means, e.g. online platforms or web consultations for and with MS could be considered to limit discussions during the meetings. However, we do not support increasing the number of questionnaires.

- *Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?*

As others, we think that Member States need to be given reasonable time to prepare for meetings by providing all documents well in advance. It could be discussed if we should reduce the current rule of 6 weeks in advance to 3 weeks, due to the increasing number of documents.

An option is to remove the 48 hours rule. The Board should decide whether or not to discuss the agenda item if the documents are not available within the three weeks.

- *Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?*

It is clear that the roles of the Health Assembly and the Executive Board are clearly defined in the Constitution. In general, administrative and human resource issues should be the responsibility of the EB. To strengthen the role of the EB, a clear division of labour is needed. Perhaps the EB could decide on several topics without a need to discuss these issues during the WHA again.

- *Should video tele-conferencing be available for meetings and consultations?*

Like others, we share the view that tele-conferencing is a useful tool that can be used for discussion and consultations. It provides a basis for an inclusive process, also for smaller Member States that find it difficult to cover overseas meetings. This should be used mainly for technical meetings. In this respect, it would be helpful getting an overview on how other IO's work.

3. *Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?*

- *Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?*

New agenda items should be accompanied by an explanatory note.

We share the view that the preparation of the provisional agenda for the WHA is the responsibility of the EB. The procedure should be similar to that for the inclusion of agenda items on the agenda of the EB and the same mechanism and tool should be adopted by the Board to decide on the inclusion, deferral or refusal of the proposed item.

4. *Should the distinction between “new activities to be undertaken by the Organization” (Rule 11 of the Rules of Procedure of the Health Assembly) and other “supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?*
- *What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting Statement explaining the rationale behind the proposal and its urgency?*
 - *In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items?*

The current RoP provide room for Member States to evade the current procedure and insert additional agenda items as supplementary items. Rules 11 and 12 should be replaced by a single rule, deleting the supplementary items.

Possible exception: Only matters that are urgent (this has to be defined) should be added to the EB agenda after the September deadline.

5. *Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:*
- *Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?*
 - *Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?*

We are very much in favour to ask the Secretariat for a document with proposals after having carried out a comprehensive investigation. This seems to be the most effective way to proceed.

The Secretariat can do this in consultation with the Bureau of the Board. The proposal for the revised rules should indicate the changes made to the existing rules and an explanation for the effected changes.

6. *Should the rules of procedure be amended to allow delegations to submit written Statements in addition to or instead of oral interventions?*

If so:

- *Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?*
- *Should these Statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?*
- *Should such written Statements be subject to limitations as to length?*
- *Should such written Statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?*
- *Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written Statements?*

Yes, the possibility to submit statement in writing is a possible way forward to shorten the debate. These Statement should be part of the records. With regard to the content of these statements we need clear rules, also for possible replies.

7. *Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?*

A secure electronic voting system should be the preferred voting option. We support the further development of the electronic system.

8. *Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?*

- *Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?*

We support initiatives to decrease the bureaucratic burden.

9. *Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?*

We support gender neutral language.

10. *Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the*

Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

- *Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?*

The procedures concerning submitting resolutions and decisions need to be further developed and should be the same for the EB and the Assembly. Ideally the same rules should also apply to the Regional Committees.

11. *Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?*

- *Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?*

We are not in favour of any limitations to the size of the delegations or distribution of roles therein.

Like others we suggest that the flags of delegations that do not have a right to vote are removed as long as the vote lasts.

12. *Should the provisions relating to verbatim and summary records reflect more closely the current practice?*

Yes.

13. *Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?*

Yes, however this has to be at the discretion of the Chair.

14. *Should “open meetings” of the Executive Board be renamed as “private meetings”?*

The current practice seems to be misleading, we support the initiative to rename them.

15. *Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?*

In order to facilitate such work and eliminate any discrepancy in terminology, the rules of procedure are to be aligned with the terminology used in FENSA.

Haiti

Question for consultation #1

- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?

- Member States are invited in addition to identify specific measures that might be considered.

Question for consultation #2

- Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate?

Yes, but only on a case-by-case basis with the approval of Member States.

- Should a procedure to introduce automatic consideration of sun- setting of draft resolutions be introduced?

Yes

- Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?

Yes

- Should the Executive Board establish a technical or other sub- committee, which would meet periodically and provide a forum for issues to be discussed and debated?

Yes

- Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

The body should not be empowered to make decisions, but should be urged to reach consensus and then refer the matter for adoption to the Assembly.

- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without

discussion?

Yes

- Should it consider issues that are for information only?

No

- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?

Yes, but also encouraging joint statements by a group of cross-regional countries and sub-regions.

- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

No

- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?

Yes

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

No.

- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?

Vague as to "division of labour.

- Should video tele-conferencing be available for meetings and consultations?

If so deemed necessary. This service should be “on demand” with a deadline for request.

Question for consultation #3

- Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board’s provisional agenda?

Yes

- Which of the two options for the Executive Board’s role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

Need more information to make decision.

Question for consultation #4

- Should the distinction between “new activities to be undertaken by the Organization” (Rule 11 of the Rules of Procedure of the Health Assembly) and other “supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

No. The rules need further clarification to clear confusion and ambiguity.

- What criteria should apply to any such proposals?

Justification. PBI. States who support. Proposal for time and date to be placed on the agenda.

- In particular, what timeline for submission should apply?

Current timeline is good.

- Should items only be acceptable in case of urgency?

No

- Should proposals be accompanied by a supporting statement explaining the

rationale behind the proposal and its urgency?

Yes.

- In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

Yes, yes

Question for consultation #5

- Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)?

Our delegation encourages an informal meeting between the WHO secretariat and Member States to discuss this document and its responses.

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Yes

- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Yes

Question for consultation #6

- Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

In addition to

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?

Agenda items

- Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?

Summary records if they obey the word limit.

- Should such written statements be subject to limitations as to length?

Yes

- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?

No

- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?

Yes

Question for consultation #7

- Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

No. The integrity of the vote by electronic means cannot be 100 percent guaranteed. However, the electronic voting system of the Human Rights Council can serve as a model.

Question for consultation #8

- Should the requirement for a hard copy original of credentials be dispensed with?

Yes

- In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

No. Physical copies can be demanded by Credentials Committee if deemed

necessary.

- Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

Credentials Committee

Question for consultation #9

- Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

NO. There is no collective understanding of changes in grammar and vocabulary.

- Should other WHO documents, other than the Constitution and other treaty-level documents, also be amended to replace gender-specific language throughout with gender-neutral language?

NO

Question for consultation #10

- Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

No

- Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

Yes

- Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

No

Question for consultation #11

- Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

Yes

Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

Yes

Question for consultation #12

Should the provisions relating to verbatim and summary records reflect more closely the current practice?

No, concrete changes need to be proposed.

Question for consultation #13

- Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

Yes

Question for consultation #14

- Should “open meetings” of the Executive Board be renamed as “private meetings”?

Yes

Question for consultation #15

- Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

Yes

Japan

Comments from Japan

<Question 1>

We should be aware that improving both efficiency and equity is challenging. Often better efficiency is achieved with some compromise in equity. This applies to equity as well.

We might consider different approach in learning lessons from the past. The Secretariat can list all failed attempts to improve efficiency and/or equity and study if the conditions of implementation is available now or feasible under what conditions.

<Question 2>

We welcome introduction of sun-setting of draft resolutions. We need to take sufficient time to review the existing resolutions in introducing sun-setting.

In principle, further proliferation of subcommittees are not recommendable because they pose challenges on the stretched capacity of Ministry of Health of Member States.

We welcome promoting tele-conference for meetings and consultations.

<Question 3>

We welcome to align the rules for the Assembly to the rules for the Board.

<Question 4>

We should combine and establish one rule but the condition should be strictly applied. We prefer the Rule 12, 6 days rule, but we wish to insist that such case is only applied to the Grade II or Grade III emergencies. In other words, it should not be applied to chronic illness or recently held meetings.

We welcome the clarification of the wording.

<Question 5>

We agree to the revision. Secretariat's drafting works of amendments which are required. We welcome the total revision and simplification, however sufficient time is required to avoid confusion.

<Question 6>

We agree to introduce written contribution as an option. However, total replacement is not acceptable.

<Question 7>

We agree to introduce the electric voting but we need some room for the members states to request roll call vote, for instance, in case more than 2/3 Member States requests to do so.

<Question 8>

Modernization is needed but Member States should be central in agreeing/disagreeing the credentials.

<Question 9>

We welcome gender natural language, but it must be easily understandable for non-native speakers.

<Question 10>

No comment.

<Question 11>

We do not see the points of introducing this limitation.

<Question 12>

The current practice is acceptable and we would like to keep verbatim records available as it is now.

<Question 13>

We agree to include provision for a motion to suspend.

<Question 14>

We agree to rename the meetings.

<Question 15>

We recommend waiting few years until the concept of the FENSA gains solid support and basis in WHO activities and practice.

Kenya

Modalities and methods of work of the Executive Board and

Rules of Procedure of the Executive Board and World Health Assembly

- paper for consultation with Member States -

	Question	Proposal
1.	<p>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none"> - In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? - Member States are invited in addition to identify specific measures that might be considered. 	<p>Timing of the meetings should be improved. The MS can consider moving the timing of the May meeting to another month to allow for more agenda items to be included in the agenda of the 2nd EB.</p>
2.	<ul style="list-style-type: none"> - Should a procedure to introduce automatic consideration of sunseting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted? - Should the Executive Board establish a technical or other subcommittee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly? - Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only? - Should the Executive Board request that regional groups coordinate their positions to 	<ul style="list-style-type: none"> -May be not automatic sun setting of Agenda items. But there should be adequate analysis of the agenda items on the implications of sun setting the item. This is mainly because countries do not implement the resolutions at the same pace and there may be need to continue monitoring the progress in implementation on the issue for a longer time in some regions than others. Not advisable. However, if this must be done then more information should be provided on the link with the rest of the governing bodies system. Yes. We think this would go a long way in assisting the board to prepare adequately on areas that a decision /resolution is expected. It a good idea. However, this would mean that the regional groups meet ahead of

	<p>the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</p> <p>- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</p> <p>- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</p> <p>- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</p> <p>- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</p> <p>- Should video tele-conferencing be available for meetings and consultations?</p>	<p>the said meeting to prepare and get coordinated. Would the WHO secretariat be willing to facilitate such meeting as not all countries have missions in Geneva No. The current method of work is good. MS as well as observers from NSA can make an intervention to the debate but only the Ex. Board Members get to vote and make final decision. However due to time constraints the presiding officer can reduce the amount of time that MS not on the Board and NSA should take.</p> <p>Not questionnaires. MS are already overwhelmed by the number of reports expected of them.</p> <p>This is a difficult one. The secretariat should work to ensure that the documents are available on time. The MS should also manage the long Agendas.</p> <p>More information on this would be appreciated. Clear division of labour would greatly improve the work of both governing bodies as well as increase transparency and time efficiency.</p> <p>Yes, but this should not substitute face to face consultations.</p>
3.	<p>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda? Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</p>	<p>Yes</p>
4.	<p>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda</p>	<p>Yes, In case of urgency, requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session.</p>

	<p>in cases of urgency? What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency? In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?</p>	
5.	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? 	<p>Yes. Secretariat should propose language for amendments to Rules of Procedure and MS should be involved in the entire process.</p>
6.	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions? If so:</p> <ul style="list-style-type: none"> - Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides? - Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"? - Should such written statements be subject to limitations as to length? 	<p>Written statements are ok however should not substitute the oral statements in Meetings.</p> <p>The Written statements can be captured in the summary records for information but it should be very clear in the report that these were not presented in the meeting.</p> <p>The statements should relate to the agenda item in discussion but the country</p>

	<p>- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?</p> <p>- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?</p>	<p>may provide national practice as this is also a good avenue to share best practices.</p> <p>MS should be encouraged to provide the statements in advance where possible. The time to provide the written statement should also be monitored and closed especially following closure of the agenda item in plenary/ committee.</p>
7.	Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?	<p>The proposal is welcome.</p> <p>However the WHO should continue to encourage agreeing by consensus and not voting.</p>
8.	<p>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</p>	<p>The electronic copies of the credentials can work.</p> <p>Credentials committee to continue reviewing either electronic or hard copy credentials</p>
9.	Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?	Yes
10	<p>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current timelimits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p>	<p>Yes. Resolutions should be submitted in good time to allow delegations to prepare adequately as well as allow the secretariat to share the documents in all languages in good time where need be.</p>
11	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that</p>	<p>The current system is working well.</p> <p>If not the secretariat can provide more information</p>

	only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?	
12	Should the provisions relating to verbatim and summary records reflect more closely the current practice?	Yes.
13	Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?	Yes.
14	Should “open meetings” of the Executive Board be renamed as “private meetings”?	Yes.
15	Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?	Yes.

Malta

QUESTIONS FOR CONSULTATION ON RULES OF PROCEDURE

1. In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? Member States are invited in addition to identify specific measures that might be considered

The Executive Board as it functions today does not act like a Board and has a very minimal executive role. The meeting of the Executive Board has now become much more like a smaller version of the WHA and this is really hindering the Board in fulfilling its role as defined in Article 28 of the WHO Constitution.

It is therefore important that action is taken to facilitate the proper and effective functioning of the Board. While the open meetings of the Board allow greater transparency and provide for a wider discussion of the issue under consideration, it very much dilutes the effectiveness and role of the Board.

It is therefore suggested that there is an additional Executive Board Meeting in November during which there is a preliminary technical discussion of the agenda items of the January EB meeting. Such an extra meeting will also provide an opportunity for closer consideration of the reports received from the Regional Committees without the need for such reports to be further considered in the January EB. This additional meeting should be restricted to the members of the Board.

Moreover, some functions of the Board could be delegated to committees set up by the EB. One needs also to analyse the role and function of the PBAC. The Board could also look into the creation of other sub committees to deal with other aspects of governance. These sub-committees should answer to the Board and not directly to the WHA unless specifically instructed to do so by the Board (e.g. Programme Budget from PBAC to WHA).

2. Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?

A standard item on the agenda of the World Health Assembly is entitled “Progress Reports”. This also used to be a regular item on the agenda of the January meeting of the Executive Board until 2015 when, because of the pressure on the EB agenda, it was decided that progress reports were only to be discussed during the WHA. With the agenda of the WHA being what it is, such progress reports are usually dealt with at the end of the Assembly when, due to time pressures not enough time and attention are dedicated to these reports. It is felt that progress reports are an important agenda item and deserve better attention and consideration as they are the indicators of the extent to which Assembly resolutions are being implemented. This is more an EB Governance function than an Assembly function.

Over the past 10 years the World Health Assembly has adopted 226 resolutions. A number of resolutions have reporting requirements. During the same periods there were 126 progress reports presented by the Secretariat to the Assembly. The reporting requirements of resolutions (and decisions) are sometimes rather vague or unspecified and there is very often no defined term for reporting. This makes such reporting rather sporadic and dependent on space availability within the agenda – something that, in recent years is becoming very scarce. Moreover there are items for which there are multiple reporting requirements.

To substantiate the above, following consultation with the secretariat it transpires that there are currently eight resolutions with reporting requirements on health workforce (WHA70.6, WHA69.19, WHA68.11, WHA64.6, WHA64.7, WHA63.16, WHA 60.26 and The Global Code of Practice on the International Recruitment of Health Personnel). Similarly there are nine reporting requirements related to Nutrition (WHA70(19), WHA69.8, WHA69.9, WHA68(14), WHA68.19, WHA61.20, EB97.R13, Comprehensive implementation plan of maternal, infant and young child nutrition and the International code of marketing of breast milk substitutes).

It is evident from the above that there is an imminent need to evaluate the content of past resolutions and decisions adopted during the World Health Assembly over the years in particular with reference to the reporting requirements in order to streamline and clarify such requirements. This

exercise will not only integrate reporting requirements such that there will be a reduction in the number of reports to the World Health Assembly but should also provide an opportunity to sunset resolutions on which reporting is no longer considered necessary and in those cases where reporting is still considered necessary, to clarify the reporting mechanism where such is not clear in the respective resolution. The exercise will also facilitate the coordination and implementation of the six year forward looking planning schedule of agenda items for future sessions of the World Health Assembly.

Moreover, it is also worth considering whether progress reports should continue to be presented to the Assembly or to the Executive Board.

- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

The setting up of additional committees of the Board has already been referred to above. All Committees appointed by the Board are to be answerable to the Board. All matters referred to the WHA should be referred through the Board unless the Board specifically determines otherwise. .

- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?

While even within the present setup there are agenda items that do not generate any discussion and can therefore be considered as items for a decision, one cannot restrict any member of the Board from commenting on an agenda item. These items can be dealt with during the proposed closed November session of the EB and the decision appearing on the minutes of the meeting. Any clarifications from member States can be raised during the subsequent public meeting in January.

- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional Statements (rather than having several members of the same group take the floor)? This is a feasible proposal and should be encouraged. However, this may be problematic for the larger regions. Moreover one has to keep in mind that Member States sitting on the EB are there in their national capacity and are

not representing their Region. Therefore, such a move will require a change in the current representative function of Member States sitting on the Board. The varying sizes of the Regions and the sub regional representation will have to be taken into consideration in the case of the larger regions.

- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?

This issue is partly covered in the previous proposal. Once again, while this is to be encouraged, it will be difficult to restrict interventions by individual Member States during public meetings and limit them only to members of the EB. What about the interventions from Civil Society?

With the introduction of a closed session in November, the whole scope of the open meeting would be to get a broader view of the position of Member States in respect of the agenda items. This can only help to smoothen and facilitate progress during the Health Assembly.

- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country Statements during the session)?

The facility for Member States to submit their written Statements without a need for a verbal Statement is to be made available and may encourage less or shorter interventions. Web consultations on the working documents can also be considered. One has to also keep in mind that such a practice will limit discussion of the issue under consideration.

- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?

The rules of procedure currently stipulate that documents in all official languages are to be made available to Member States six weeks before the commencement of the a regular session (Rule 5) of the EB, unless it decides otherwise will not discuss the item until 48hrs have elapsed since the documentation is made available (Rule 11). It is felt that both these timelines are unreasonable. Given the current number of agenda items it is not possible for the Secretariat to provide all documents six weeks in advance. It is therefore felt that this should be reduced to three weeks. This will allow enough time for Member States to evaluate the documents. It is also proposed

that the 48 hour provision in Rule 11 should be removed and the Board will decide whether or not to discuss the agenda item if the documents are not available within the three weeks that will have been stipulated in an amended Rule 5

- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?

The roles of the Health Assembly and the Executive Board are clearly defined in the Constitution. In general, their roles should be distinct and while the Assembly should restrict its activities to issues related to policy and approval of the budget, all administrative and human resource issues should be the responsibility of the EB without a need for endorsement by the Assembly, unless the Board feels it requires the endorsement of the Assembly.

- Should video tele-conferencing be available for meetings and consultations?

Teleconferencing is a useful and economic tool that can be used for discussion and consultations. It provides the possibility for the smaller Member States that find it difficult to cover overseas meetings. However tele-conferencing should not replace regular face to face consultations.

3. Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

- Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?

The preparation of the provisional agenda for the WHA is the responsibility of the Executive Board and if one is to honour this provision, any item for inclusion in the agenda of the Assembly should be scrutinised by the Executive Board.

The procedure to be adopted should be similar to that for inclusion of agenda items on the agenda of the Executive Board and the same mechanism and tool should be adopted by the Board in determining the inclusion, deferral or

refusal of the proposed item. This is a function/decision that the Board could delegate to the Bureau.

One must also ensure that any supplementary item proposed in terms of Rule 11 of the Rules of procedure of the WHA is indeed urgent and that its deferral would lead to a deterioration in or increased risk for global health.

4. Should the distinction between “new activities to be undertaken by the Organization” (Rule 11 of the Rules of Procedure of the Health Assembly) and other “supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

- What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting Statement explaining the rationale behind the proposal and its urgency?

- In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items?

The rules of procedure as they stand provide room for Member States to bypass the procedure and insert additional agenda items as supplementary items on both the Assembly agenda as well as the EB agenda. Rules 11 and 12 should be replaced by a single rule which allows the request for the addition of a supplementary item in truly urgent situations. Such a request must reach the Organization by no later than six days before the opening of a regular session.

A special session of the EB is by its very nature called for a specific reason at the request of Member State EB members and therefore the agenda of the said special session is set by the request made by the requesting Member States. It is therefore felt that the rules of procedure should not allow for the inclusion of supplementary items on the agenda of a special session of the Board.

5. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member

States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?
- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Following this consultation process there will be many proposals put forward for changes to the rules of procedure. There may also be other changes which the Secretariat may wish to propose. It is felt that the most effective way would be for the Secretariat to prepare a revised draft Rules of Procedure in consultation with the Bureau of the Board consolidating all proposals. The final revised rules are then to be presented to the Board with an indication of the changes made to the existing rules and an explanation for the effected changes.

A similar exercise may need to be done for the rules of Procedure of the Assembly. One may also find that to affect some of the changes being proposed, amendments to the Constitution may also be necessary.

6. Should the rules of procedure be amended to allow delegations to submit written Statements in addition to or instead of oral interventions?

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?
- Should these Statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”?
- Should such written Statements be subject to limitations as to length?
- Should such written Statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?
- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written Statements?

One has to make a distinction between proceedings of the EB and those of the WHA.

The scope of an EB meeting should be to discuss the technical content of the document prepared by the Secretariat for endorsement by the Board and

possible referral for consideration by the Assembly. In this regard it is important to point out that the document prepared by the Secretariat is short and clearly delineates the action that is required from the Board. Unlike the WHA, there is therefore no scope for the description of national practice during EB meetings. Member States should be encouraged to present a brief Statement on the document under discussion with a possibility of further in depth submission in writing. In such situations, the written submission should form part of the recorded summary records if so requested by the Member State concerned.

During the WHA the same procedure can be adopted with national practices being part of written submissions which will eventually also form part of the summary records as may be requested by Member States during their oral submission.

No other matter related to the item under discussion can be submitted in written form unless it is a deeper explanation of a position stated during the verbal intervention. This will eliminate the possibility of Member States submitting provocative Statements that may trigger counter reactions from other Member States.

7. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

There is no doubt that with an appropriately secure system, electronic voting should be the preferred voting option. A provision for a backup manual system in case of a system failure in the electronic system should also be included.

8. Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?

- Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

The presentation of original credentials is the only way to ensure transparency and verify authenticity and the practice should therefore be maintained. In case of emergency or unexpected changes, electronic versions through the

respective Permanent Representations should be acceptable. The role of the Credential Committee could be taken over by the Officers of the Assembly.

9. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

Whenever possible gender neutral language should be used.

10. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?

- Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

It is felt that the rules regarding the submission of proposals for resolutions/decisions on agenda items should be the same for both the EB and the Assembly. Ideally the same rules should also apply to the Regional Committees. The proposals below are based on the procedure currently adopted by the European Region.

Formal proposals by Member States in the form of resolutions or decisions, relating to items of the provisional agenda, should be introduced in writing and transmitted to the Director General at least seven days prior to the opening of the first day of the session of the EB or the WHA, provided the relevant documentation is published three weeks prior to the commencement of that session. The EB or Assembly may also, if deemed appropriate, consider formal proposals which have been introduced by Member States after the above-referenced deadline.

Proposals for substantive amendments of such formal proposals should normally be introduced in writing and handed to the Director General, prior to the closure of the first day of the session of the EB or WHA. The Director General should circulate copies of such amendments to delegations in all official languages no later than the opening of the second day of the session. No such amendments shall be discussed or be put to vote at any meeting of the EB or Assembly unless copies of them in all official languages have been circulated to all delegations at least 24 hours previously. The President may,

however, permit the discussion and consideration of amendments, even though they have not been circulated in accordance with this timeline.

Formal proposals by the Secretariat in the form of resolutions or decisions, relating to items of the provisional agenda should also be sent by the Director General to the Member States at least three weeks before the commencement of the session.

Proposals for substantive amendments of such formal proposals should be introduced in writing and handed to the Director General at least 24 hours prior to the opening of the first day of the session of the EB or Assembly. The Director General should circulate copies of such amendments to delegations in all official languages no later than the opening of the first day of the session. No such amendments shall be discussed or put to a vote at any meeting of the EB or Assembly unless copies of them in all languages have been circulated to all delegations at least 24 hours previously. The President may, however, permit the discussion and consideration of amendments, even though they have not been circulated in accordance with this timeline.

11. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?

- Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

While it is reasonable to have an alternate for each of the delegates, it is not possible to restrict the number of advisers as expertise varies according to the agenda item being discussed.

Ideally it should only be delegates and their alternates that can be allowed to vote. However in practice this provision would be very difficult to enforce unless a distinction is made in the name tags of the different categories of Member State representatives. This may cause operational issues during the sessions. Given that any member listed in the credentials presented by the Member State has been designated as representative of the Member State concerned, any member of the delegation should be allowed to vote. It should be up to the Member State to decide who to designate as its voting representative.

12. Should the provisions relating to verbatim and summary records reflect more closely the current practice?

The fact that current practice is what it is should not be the reason for changing the rules that govern verbatim and summary records. One must scrutinise the system and provide for rules that would ensure the achievement of the objectives of these summary records.

13. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?

There may be many valid reasons as to why the discussion of an agenda item may need to be suspended. In practice, this currently happens at the discretion of the Chair when an agenda item is opened and a formal drafting group is established and the discussion of the item is thus postponed (suspended). Just as the rules of procedures provide for Member States to request the suspension and adjournment of the meeting, the rules of procedure should also provide for Member States to request for the suspension and adjournment of the discussion of an agenda item.

14. Should “open meetings” of the Executive Board be renamed as “private meetings”?

The current nomenclature defining the types of meetings of the Executive Board is misleading. It is felt that two types of meetings should be defined – an open (public) meeting open to members of the Board, Member States not represented on the Board, Associate members, representatives of the United Nations and other organisations identified by the rules of procedure, and members of the public; and a closed (private) meeting for which the members of the Board, the relevant secretariat and such others as the Board may decide are to attend.

15. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?

FENSA is the overarching framework within which the Organisation relates and operates in relation to non-State actors. In order to facilitate such work and eliminate any discrepancy in terminology, the rules of procedure are to be aligned with the terminology used in FENSA.

Monaco

(French version)



MISSION PERMANENTE DE LA PRINCIPAUTE DE MONACO

OMS - Consultation gouvernance / règles de procédure
Commentaires de la Principauté de Monaco
Septembre 2017

Commentaires généraux

Le document de réflexion présenté ne semble pas suivre de fil conducteur liant les différents aspects les uns aux autres et, de ce fait, contient certaines répétitions. Il aurait été apprécié que les questions posées soient regroupées sous de grands thèmes et organisées de façon hiérarchisée.

La Constitution (en particulier article 28) détermine clairement les fonctions du Conseil et spécifie même que le Conseil est l'organe exécutif de l'Assemblée. Il s'agit d'un organe décisionnaire. Il est donc indispensable de retourner « aux sources », à savoir la Constitution même, et de redonner ce rôle au Conseil.

La réflexion en cours doit donc viser à :

- Permettre au Conseil exécutif d'exercer pleinement les fonctions principales qui lui sont dévolues par la Constitution ; pour cela, il faut s'assurer, tout en conservant le même nombre de jours de réunion, qu'il puisse travailler et prendre des décisions ;
- Les décisions prises par le Conseil exécutif ne devraient pas donner lieu ensuite à de nouvelles tractations entre Etats membres voire à une modification totale ;
- Pour ce faire, le travail en amont de la session du Conseil est fondamental, y compris le travail au sein des groupes régionaux (par le biais aussi, en tant que de besoin, des comités régionaux) ;
- Le Conseil exécutif doit être à nouveau efficace : pour ce faire, les ordres du jour doivent être limités ; de même que les discussions en plénière (différentes formules peuvent être envisagées, mais pour commencer il pourrait être demandé aux Etats membres de ne prendre la parole que pour se prononcer sur des propositions (et conserver la présentation de « rapports nationaux » pour l'Assemblée) ;
- De façon générale, il est nécessaire de revoir le rôle des groupes régionaux (formalisation, établissement de circonscriptions comme à l'ONUSIDA pour siéger au Conseil ?) ;
- Il est indispensable aussi de revoir clairement les rôles et fonctions respectifs du Conseil (ainsi que du PBAC) et de l'Assemblée pour que les ordres du jour deviennent

véritablement complémentaires et non redondants comme c'est le cas aujourd'hui. Ceci doit être notre objectif principal.

- Cela doit s'accompagner d'une rationalisation dans l'établissement des ordres du jour, de la nécessaire mise en place d'un mécanisme d'extinction (« sunseting ») des résolutions et probablement une véritable limitation (accompagnée d'une meilleure ventilation entre Comité régional, Conseil exécutif et Assemblée) des points à traiter à chaque session (hors urgences – et les urgences peuvent recouvrir aussi des aspects financiers, budgétaires et/ou administratifs).

Réponses aux questions spécifiques :

1. De quelle manière considérez-vous que les rôles et méthodes de travail du Conseil exécutif devraient être améliorées ? **Voir commentaires généraux ci-dessus.**
2. Questions :
 - a. Une procédure pour l'introduction de la considération automatique de l'extinction (« sunseting ») de résolutions doit-elle être introduite ? Les résolutions et décisions existantes doivent-elles être revues dans la perspective de décider si elles peuvent être « éteintes » ? **Oui, cela serait un bon moyen de réduire le nombre de points aux ordres du jour.**
 - b. Le Conseil exécutif devrait-il établir un sous-comité technique ou autre, qui se réunirait périodiquement et constituerait un forum pour les sujets devant être débattus / discutés ? Cet organe devrait-il avoir droit de décision ou de renvoyer des affaires à l'Assemblée ? **Non, en aucun cas. Il faut avant tout avoir un Conseil et un Bureau qui soient fonctionnels.**
 - c. Le Conseil exécutif devrait-il faire une distinction entre les points qui doivent être discutés et ceux pour lesquels une décision est supposée être prise sans discussion ? **Oui, cela permettrait d'accroître l'efficacité de travail et réduire le nombre de discussions non nécessaires.**
 - d. Devrait-il considérer les points qui sont pour information seulement ? **Non, sauf décision contraire expresse du Conseil. Alternativement, il pourrait être décidé de dédier moins de temps aux interventions sous les points « pour information ».**
 - e. Le Conseil exécutif doit-il demander aux groupes régionaux de coordonner leurs positions dans la mesure du possible et de faire des interventions régionales (plutôt que d'avoir plusieurs membres du même groupe prenant la parole) ? **Oui dans la mesure du possible. Il convient à cet égard de noter que les groupes régionaux sont informels à l'OMS (ce qui n'est pas le cas à l'OMPI par exemple). Si une telle mesure était adoptée, il serait indispensable que les documents soient disponibles encore plus en amont des réunions afin de permettre cette coordination.**
 - f. Est-ce que seuls les membres du Conseil devraient être autorisés à prendre la parole, avec les vues des autres Etats membres de la région qui seraient exprimées au travers des membres qu'ils ont élus ? **Cela pourrait être une bonne décision afin d'améliorer l'efficacité des réunions mais cela nécessiterait un effort de coordination important (cf. question précédente,**

un représentant de la région siégeant au Conseil pourrait être désigné pour délivrer des interventions régionales). De manière générale, il faut se rappeler les critiques énoncées quant au manque de représentativité du Conseil et cette pratique risquerait de raviver le débat à ce sujet.

- g. Devrait-on donner la possibilité aux Etats membres de faire rapport sur leurs expériences en dehors des réunions des organes directeurs, notamment au travers de questionnaires (afin de limiter les interventions de « rapport national » au cours des sessions) ? **Dans tous les cas, les interventions devraient se focaliser dans la mesure du possible sur les éventuelles décisions à prendre et/ou les points sur lesquels les Etats sont appelés à se prononcer ; elles ne devraient pas se concentrer essentiellement sur des exposés détaillant les meilleures pratiques nationales. Cependant, nous sommes opposés à de nouveaux questionnaires car les Etats membres sont déjà sur-sollicités en matière de rapports à produire et données à collecter (et cela est d'autant plus problématique pour les Etats de petite taille dont les services du Gouvernement ne disposent pas des ressources suffisantes pour y répondre). De fait, une solution intermédiaire devrait être envisagée (cf. possibilité de déposer, sur une base volontaire, des textes énonçant en détails les initiatives nationales sur un site dédié)**
- h. Des points à l'ordre du jour devraient-ils être retirés de l'agenda si le document y relatif n'est pas disponible dans toutes les langues officielles, par exemple 3 semaines avant les sessions ? **Oui, cela pourrait être testé dans la mesure où, si les documents ne sont pas disponibles dans toutes les langues suffisamment tôt, il est clair qu'une discussion substantielle, éclairée et éventuellement concertée ne sera pas possible. (cf.2.e.)**
- i. Devrait-il y avoir une division claire du travail entre l'Assemblée et le Conseil exécutif ? Si oui, comment ? **Cela est indispensable. Voir commentaires généraux ci-dessus.**
- j. La vidéo-conférence devrait-elle être disponible pour les réunions et consultations ? **Oui.**

3. Questions :

- a. Les propositions d'inclusion de points sur l'ordre du jour provisoire de l'Assemblée devraient-ils être accompagnées d'un mémorandum explicatif, similaire à la procédure utilisée pour préparer l'ordre du jour provisoire du Conseil ? **Oui, cela semble un minimum même si le texte est limité en nombre de mots.**
- b. Laquelle des 2 options pour le rôle du Conseil exécutif dans la considération des propositions de points à inclure à l'ordre du jour provisoire de l'Assemblée (définies dans le document A70/51) devrait être retenue ? **Les deux options nécessitent une modification des règles de procédure. L'option 1 renforce le pouvoir décisionnaire du Conseil exécutif mais court-circuite une partie du rôle du Bureau de l'Assemblée. Elle nous semble cependant préférable car cela permettrait d'améliorer l'efficacité ainsi que de permettre l'éventuelle préparation de rapports par le Secrétariat.**

4. Questions :

- a. La distinction entre « nouvelles activités à entreprendre par l'Organisation » (règle 11 des Règles de Procédure de l'Assemblée) et « points

supplémentaires » (règle 12) devrait-elle être retirée de façon à n'avoir qu'une règle présidant aux propositions de points additionnels à l'agenda en cas d'urgence ? **Il serait plus adapté de fusionner les 2 règles. De manière générale, hormis les cas d'urgence (attention à bien définir les urgences et prévoir tous types d'urgences : sanitaires, administratives, financières, etc.), toute demande d'ajout de point supplémentaire devrait passer par le Conseil exécutif car une étude doit être faite et c'est le Conseil qui décide si le point est mis ou non à l'ordre du jour de l'Assemblée de l'année en question voire de la suivante, en fonction des besoins (rapports, etc.).**

- b. Quels critères devraient être appliqués à ces propositions ? En particulier, quel délai devrait être appliqué pour la soumission ? Les points devraient-ils être acceptables seulement en cas d'urgence et les propositions doivent-elles être accompagnées d'un argumentaire expliquant la raison de cette urgence ? **Le principe même d'une urgence est qu'elle est imprévisible et peut intervenir à n'importe quel moment, y compris donc quelques heures ou minutes avant l'ouverture d'une session voire pendant la session. La question du délai ne se pose donc pas, il ne devrait y avoir aucun délai. Les propositions devraient en effet être accompagnées d'un court argumentaire explicatif, cela semble nécessaire bien qu'il est fort probable que sa teneur s'avère souvent évidente.**
 - c. Si les règles sont maintenues plus ou moins en l'état, serait-il au moins nécessaire de clarifier les délais dans la règle 12 afin de préciser que les demandes de points additionnels doivent être soumis à l'Organisation au plus tard 6 jours avant l'ouverture d'une session ordinaire, ou 2 jours avant l'ouverture d'une session spéciale ? **Oui, mieux vaut être le plus précis possible, le texte actuel étant trop vague (extrait de l'article 12 « pourvu que la demande d'adjonction de cette question supplémentaire parvienne à l'Organisation dans les six jours à compter de l'ouverture d'une session ordinaire »).**
5. Les Etats membres souhaitent-ils considérer les ambiguïtés additionnelles, les lacunes et autres limites dans les règles de procédure identifiées par le Secrétariat et, le cas échéant, comment le Secrétariat devrait-il soutenir les Etats membres ? En particulier :
- a. Le Secrétariat devrait-il faire des propositions de textes pour des amendements aux Règles de procédure correspondant aux problématiques identifiées dans ce document ? **Oui, cela permettra de fournir une bonne base de travail et de faciliter le processus, et ainsi probablement d'éviter de longues heures de discussion.**
 - b. Le Secrétariat devrait-il entreprendre une révision complète des règles de procédure pour les simplifier et introduire un nouveau système de numérotation ? **Il nous semble plus pertinent de conduire la réforme dans un premier temps puis de réviser les règles de procédure.**
- 6.
7. Les règles de procédure devraient-elles être amendées pour permettre aux délégations de soumettre des interventions écrites en plus ou à la place des interventions orales ? **Les règles procédure doivent-elles nécessairement être**

amendées pour permettre cela ? De manière générale, dans tous les cas, les Etats doivent pouvoir indiquer s'ils souhaitent que leurs exposés écrits soient rendus disponibles et publiés. Il est indispensable également d'éviter que cela n'entraîne de controverses.

Le cas échéant :

- a. Cette possibilité devrait-elle être automatiquement disponible pour toutes les affaires, ou limitée à certains points (par exemple rapport de progrès) ou lorsque le président le décide ? **Si cette possibilité est disponible pour tous les points, cela pourrait permettre de gagner du temps.**
- b. Ces interventions devraient-elles être enregistrées dans les rapports (« summary records ») ou, comme actuellement, postées sur le site web de l'OMS « pour information seulement » ? **Si ces interventions n'apparaissent pas dans les summary records, elles n'auront pas le même poids et les délégations continueront d'intervenir à l'oral afin que leurs interventions soient prises en compte. Il est donc nécessaire que celles-ci apparaissent dans les rapports. Cependant, il est essentiel également de permettre un droit de réponse.**
- c. Ces interventions écrites devraient-elles faire l'objet de limitation de taille ? **Une incitation à fournir des interventions synthétiques devrait en effet être mise en place donc la fixation d'un nombre de mots maximum pourrait s'avérer nécessaire.**
- d. Ces interventions écrites devraient-elles être limitées à des sujets particuliers (par exemple description des pratiques nationales, sujets non controversés) ? **Cela paraît en effet nécessaire. Les Etats pourraient être encouragés à fournir des rapports factuels sur les pratiques nationales.**
- e. Un mécanisme devrait-il être mis en place pour permettre à d'autres participants d'exercer un droit de réponse par écrit en relation avec les sujets contenus dans ces interventions écrites ? **Oui, il est essentiel que le droit de réponse soit préservé.**

8. Les règles de procédure devraient-elles être amendées pour permettre un vote électronique si des systèmes appropriés sont disponibles ?

Oui, le vote électronique devrait être systématique. Il est indispensable que l'Organisation parvienne à identifier rapidement un système de vote électronique répondant aux exigences de sécurité déterminées. De nombreuses autres organisations ont déjà adopté de tels systèmes donc cela ne devrait pas poser de problème majeur. Le vote papier est archaïque et nous ne pouvons nous permettre de passer à nouveau les heures passées pour la procédure de vote relative à l'élection du Directeur général.

9. Devrait-on dispenser les Etats de fournir les originaux des pouvoirs ?
 - a. Le processus pour vérifier les pouvoirs devrait-il être basé exclusivement sur la copie scannée des pouvoirs téléchargée sur le système d'enregistrement en ligne du Secrétariat ?

- b. La tâche d'examen des pouvoirs doit-elle être déléguée à un Comité dédié, comme actuellement, ou les officiers de l'Assemblée pourraient-ils s'en occuper ?

Nous recommandons de faire ce qui est le plus simple et le moins coûteux. La copie scannée des pouvoirs pourrait donc servir de base à la vérification, avec éventuellement un contrôle aléatoire (toutes les délégations seraient invitées à avoir les originaux avec elles pendant l'Assemblée). Cela pourrait déjà rendre la procédure plus rapide et moins laborieuse.

10. Les règles de procédure devraient-elles être amendées pour remplacer le langage lié au genre par du langage neutre ?

Cela n'est pas possible dans toutes les langues. Nous invitons le Secrétariat à cesser de réfléchir uniquement en anglais.

11. Questions :

- a. L'équilibre entre la flexibilité et le besoin de fournir suffisamment de temps pour que les délégations considèrent les propositions de manière adéquate est-il reflété dans les règles 28bis et 28ter des Règles de procédure du Conseil exécutif et les règles 48 et 50 des Règles de procédure de l'Assemblée ?

Cela pourrait en effet être utile mais il faut trouver du langage qui permette également de tenir compte de situations d'urgence (auquel cas les délais spécifiés ne pourront être respectés).

- b. La règle 48 des Règles de procédure de l'Assemblée devrait-elle être révisée pour permettre des exceptions sans avoir besoin de suspendre formellement la règle ?

Quelles seraient les exceptions visées ? Il faudrait notamment permettre des exceptions dans les situations d'urgence.

12. Questions :

- a. Le nombre d'alternants (« alternates ») dans chaque délégation devrait-il être limité à 3, pour refléter le nombre de délégués, tout en laissant le nombre de conseillers non restreint ?
- b. Les règles devraient-elles être modifiées pour clarifier que seuls les délégués et alternants sont autorisés à voter en plénière pendant l'Assemblée, alors que tout membre de la délégation est autorisé à voter en commission ?

Seuls les membres de la délégation disposant de pouvoirs délivrés par le Gouvernement devraient être habilités à voter, quelle que soit leur qualité.

13. Les dispositions relatives au verbatim et aux rapports (« summary records ») devraient-elles refléter davantage la pratique actuelle ?

Oui.

14. Les règles de procédure devraient-elles inclure des dispositions concernant une motion pour suspendre le débat sur un point en discussion ?

Oui.

15. Les « séances ouvertes » (open meetings) du Conseil exécutif devraient-elles être renommées « séances privées » (private meetings) ?

Cela pourrait être une option car cela permet de bien faire la différence avec les séances publiques qui sont ouvertes plus largement au-delà des Etats membres de l'Organisation. Mais un terme plus adapté pourrait être trouvé car le terme « privé » laisse supposer qu'il s'agit de séances réservées aux Etats membres représentés au Conseil (à savoir actuellement les « séances restreintes »). Pour mémoire, actuellement, nous avons (article 7 des règles de procédure du Conseil exécutif) :

- séances publiques (public meetings) : Etats membres représentés au Conseil + Etats membres non représentés au Conseil + membres associés + représentants des Nations Unies et autres organisations visées à l'article 4 + membres du public ;
- séances ouvertes (open meetings) : Etats membres représentés au Conseil + États Membres non représentés au Conseil + Membres associés et Secrétariat ;
- séances restreintes (restricted meetings), tenues dans un but déterminé et dans des circonstances exceptionnelles : Etats membres représentés au Conseil + membres essentiels du Secrétariat et toute autre personne dont la présence peut être décidée par le Conseil.

16. Les règles de procédure devraient-elles être révisées pour refléter les dispositions du cadre de collaboration avec les acteurs non étatiques ?

Cela nous semble tout à fait prématuré. Le cadre de collaboration avec les acteurs non étatiques a été adopté lors de l'Assemblée en 2016 et une évaluation initiale de son application et de ses répercussions sur les travaux de l'OMS est prévue en 2019 pour présentation au Conseil exécutif de janvier 2020. Il se pourrait ainsi qu'à cette occasion, des propositions de révision du Cadre soient faites. Aussi, nous devons commencer par appliquer le Cadre et l'évaluer avant d'en entériner les dispositions dans les règles de procédure.

(English version)

WHO - Consultation on governance/Rules of Procedure
Comments by the Principality of Monaco
September 2017

General comments

The consultation document appears to dispense with any link between the different topics and suffers from occasional repetition in consequence. It might have been clearer to group the major themes together and present them in order of priority.

The WHO Constitution (specifically Article 28) clearly sets out the functions of the Board and even says that the Board is the executive organ of the Health Assembly. The Board is a decision-making body. It is therefore necessary to go back to basics, i.e. refer to the Constitution, and restore this role to the Board.

The objectives of this consultation should therefore be:

- To enable the Executive Board to carry out the principal functions assigned to it under the Constitution; to that end, its decision-making functions must be assured, keeping the same number of meeting days;
- Decisions adopted by the Executive Board should not be renegotiated by Member States, going so far as to change them completely;
- Accordingly, work upstream of the Board is of essential importance, including within regional groups (also, as required, in the regional committees);
- The Executive Board should regain its efficiency. To that end, the number of items on its agenda should be limited, as should discussions in plenary (different options could be considered, but for a start Member States could be invited to take the floor solely for the purpose of stating their position on proposals (the presentation of “national reports” therefore being reserved for the Health Assembly));
- In general, the role of the regional groups needs to be reviewed (formal status, establishment of constituencies with seats on the Board, as at UNAIDS ?) ;
- The respective roles and functions of the Board (including PBAC) and the Health Assembly must be clearly reviewed to make their agendas truly complementary rather than duplicatory as is the case at present. This should be our principal objective.
- This effort should go hand in hand with streamlining of the agenda, the introduction of a sunseting procedure for resolutions and, very probably, a de facto cut-back (with better distribution of items between regional committees, Executive Board and Health Assembly) in the number of agenda items discussed at each session (excepting emergencies, which could also have financial, budget and/or administrative aspects).

Answers to specific questions:

17. In which ways do you consider the roles and methods of work of the Executive Board should be improved? **See general comments above.**

18. Questions :

- a. Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted? **Yes, this would be a good way of reducing the number of agenda items.**
- b. Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly? **Absolutely not. The main point is that the Board and the Officers should function effectively.**
- c. Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? **Yes, this would enhance the efficiency of its work and avoid unnecessary discussion.**

- d. Should it consider issues that are for information only? **No, unless explicitly decided otherwise by the Board. Alternatively, a decision could be made to devote less time to statements under items “for information”.**
- e. Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)? **Yes, as far as possible. At WHO, regional groups have informal status (which is not the case at WIPO, for example). If this measure were adopted, documents would have to be made available even further in advance of meetings to facilitate the necessary coordination.**
- f. Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected? **This could be a good way of making meetings more efficient, but would require a lot of coordination (see previous question, a regional representative on the Board could be designated to deliver regional statements). At the same time, we are aware of criticisms that the Board is not broadly representative and such a practice would rekindle debate around this issue.**
- g. Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)? **In all cases, statements should focus to the extent possible on decisions for adoption and/or any points requiring Member States to take a position; they should not concentrate on detailed accounts of national best practices. However, we oppose the use of questionnaires because Member States are already overburdened with reporting and data-collection obligations (this problem is particularly acute for small States whose governments lack the resources to respond to such requests). A half-way solution might therefore be considered (for example the voluntary option of posting material containing details of national initiatives on a dedicated site)**
- h. Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session? **Yes, this initiative could be tested in so far as, obviously, no substantive, informed discussions leading to consensus can take place if documents are unavailable in all languages at a sufficiently early stage (see 2.e.)**
- i. Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how? **This goes without saying. See general comments above.**
- j. Should video tele-conferencing be available for meetings and consultations? **Yes.**

19. Questions:

- a. Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board’s provisional agenda? **Yes, this would appear to be a minimum requirement, even if there is a word limit on the text.**

- b. Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued? **Both options require a change to the Rules of Procedure. Option 1 strengthens the decision-making power of the Executive Board but partially short-circuits the role of the Officers of the Health Assembly. Nevertheless, it appears preferable to us because it would enhance efficiency and facilitate the drafting of reports by the secretariat.**

20. Questions:

- a. Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency? **It would be more appropriate to merge the two rules. Generally speaking, except in emergencies (which should be clearly defined, covering all types of possible scenario - health, administrative, financial, etc.), any request to include supplementary items should go through the Executive Board because the request needs to be examined and it is the role of Board to decide whether or not to include it in the agenda of the Assembly of the year in question, or even the following year, depending on exigencies (reports, etc.).**
- b. What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency? **Emergencies are by their very nature unpredictable and can occur at any time, including a matter of hours or minutes before the opening of a session, or during the session. The question of timelines is therefore beside the point: there should be no deadline. Proposals should indeed be accompanied by a brief explanatory statement, which would appear to be necessary even though the proposal itself will most likely be self-explanatory.**
- c. In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session? **Yes, it would be best to be as explicit as possible and the current wording is too vague (taken from Article 12 : "provided that the request for the inclusion of the supplementary item reaches the Organization within six days from the opening of a regular session").**
21. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:
- a. Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Yes, this will provide a sound working basis and facilitate the process, thereby in all probability avoiding long hours of discussion.

- b. Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? It seems more sensible to us to carry out the reform first and revise the Rules of Procedure afterwards.

22. Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions? Do the Rules of Procedure need be amended to allow for this possibility? In general and in all cases, States should be able to indicate whether they want their written statements to be made available and published. It is also essential to avoid situations where this could lead to controversy.

If so:

- a. Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides? If available for all agenda items, this facility could result in time savings.
- b. Should these statements be recorded in the summary records or, as at present, placed on the WHO website « for information purposes only »? If these statements do not appear in the summary records, they will not carry the same weight and delegations will continue to deliver oral statements to ensure that their statements are noted for the record. Written statements should therefore appear in the record. However, it is also essential to ensure a right of reply.
- c. Should such written statements be subject to limitations as to length? Concise statements ought to be encouraged, so the imposition of a word limit might turn out to be necessary.
- d. Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)? This would seem to be necessary. States could be encouraged to provide factual reports on national practice.
- e. Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements? Yes, the right of reply must be preserved.

23. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Yes, electronic voting should be the norm. The Organization should rapidly identify an electronic voting system complying with specified security requirements. Many other organizations have already adopted similar systems so this should not be a major challenge. Paper-based voting is archaic and we cannot afford yet again to spend several hours on a voting procedure, as we did with the election of the Director-General.

24. Should the requirement for a hard copy original of credentials be dispensed with?

- a. Should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?
- b. Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

We recommend the simplest and least costly approach. Scanned copies of credentials could be used for verification, with checks subsequently being carried out at random (all delegations would be invited to bring original credentials with them to the Health Assembly). This in itself might make the procedure faster and less cumbersome.

25. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?

This is not possible in all languages. We invite the secretariat to desist from thinking exclusively in English.

26. Questions:

- a. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly?

This could indeed be useful but appropriate language would need to be found that also encompasses emergencies (for which compliance with the specified deadlines is impossible).

- b. Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?

What might these exceptions be? Allowance would also have to be made for exceptions in emergencies, among other things.

27. Questions:

- a. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?
- b. Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?

Only members of delegations with credentials from their Government should be permitted to vote, regardless of their status.

28. Should the provisions relating to verbatim and summary records to reflect more closely the current practice? Yes.

29. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion? **Yes.**

30. Should “open meetings” of the Executive Board be renamed as “private meetings”?

The proposed option highlights the contrast with public meetings which are open to a broader constituency than the Member States of the Organization. But a more suitable term should be used because “private” implies meetings reserved for Member States represented on the Board (currently known as “restricted meetings”). If memory serves, Rule 7 of the Rules of Procedure of the Executive Board currently specifies:

- public meetings: Member States represented on the Board, Member States not represented on the Board, Associate Members, representatives of the United Nations and other organizations identified in Rule 4 and members of the public;
- open meetings: Member States represented on the Board, Member States not represented on the Board and Associate Members and the Secretariat;
- restricted meetings, held for a specific purpose and under exceptional circumstances: Member States represented on the Board, essential Secretariat staff, and such others as may be decided by the Board.

31. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA? **We believe that this step is premature in the extreme. The Framework of Engagement with Non-state Actors was adopted by the Health Assembly in 2016 and an initial evaluation of its operation and repercussions on the work of WHO is scheduled for 2019, for subsequent presentation to the Executive Board in January 2020. It is possible that proposals to revise the Framework will be made at that time. Accordingly, we should initially apply and evaluate the Framework before formalizing its provisions in the Rules of Procedure.**

Netherlands

Contribution by the Netherlands

Questions Rules of Procedure

1. *Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:*
 - *In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?*

The Executive Board's functioning has become rather similar to the WHA. As was stated in the EB's mandate, the EB should be the body that prepares the WHA discussions, so the Assembly can function more efficiently and more decisions can be made faster and monitor the follow up of the WHA's decisions via their dialogue with the DG office. The WHA is the policy forming body.

This is still the right division of tasks, but in practice the difference has not been very clear. The new Rules of Procedure and actual functioning of the EB needs to reflect this. However, this cannot solely be an exercise on paper. There should be a check on whether the new rules are being followed, in order to see the practice change. Therefore, the practice under the new rules should be reviewed after a certain period of time after entry into force.

The roles of the officers should be more strategic and more transparent. The Officers and the Secretariat should meet more frequent to discuss the development of strategic agenda's. If the role of the Officers include coordination tasks towards their Region, this change needs to be carefully considered as it risks duplicating the role of the regional coordinators.

Member States are invited in addition to identify specific measures that might be considered.

All specific measures we find important are being reflected in the questions and answers that follow in this document.

2. *Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:*
 - *Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?*

Yes, new resolutions should include a sun setting clause. With existing resolutions we recommend a review as done in the European Region.

- *Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?*

Can the secretariat explain for which problem this should be a solution?

The EB has a subcommittee PBAC. Experiences with PBAC illustrate that it stimulates duplication in some discussions. How will the technical committees fit in the whole GB structure?

NL prefers that technical guidance/guidelines that are not negotiated do not end up the agenda of Governing Bodies for endorsement, or only for information – not for discussion/decision. “No negotiations – no endorsement”. Recent bad practice: NCD Appendix 3 and Guidance of ending inappropriate promotion of foods for children and young people.

- *Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?*

Yes this would help. If an item requires discussion, the secretariat should provide the GB with clear questions. Not just ask for guidance. Still, the aim should be to have most issues prepared thoroughly in informal sessions, in order for them not to take too much time during the meetings

- *Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?*

The EB might encourage groups to coordinate, but regional statements are voluntary. In the European context with 53 countries coordination is a challenge. The European Union – with 28 countries – is doing this and we very pleased with this practice.

- *Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?*

This is a good proposal.

- *Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?*

Yes.

- *Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?*

Yes, because it makes sure that there is enough time for countries to sound out the positions in the constituency.

- *Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?*

Yes, this should be clear in constitution and rules of procedure. Over the years the EB has developed into a mini WHA, which means a lot of discussions and processes are being duplicated. This should be prevented.

- *Should video tele-conferencing be available for meetings and consultations?*
Yes.

3. *Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?*

Yes. It will discipline the board in their agenda setting and promote efficiency during the Assembly meetings.

- *Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?*

For the sake of results and efficiency it would be better if the Executive Board has a robust role, i.e. option 1.

4. *Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?*

Having one rule makes sense. Can Legal explain the reason why this distinction is in the rules of procedure? Otherwise the distinction should be removed.

[What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?

Timeline: one day before the meeting.

Only acceptable in case of urgency.

Accompanied by a supporting statement.

Supported by another member state than submitting (e.g. at least one member state from each region/three board members/2 regions represented and two observing members)

- *In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?*

Yes. 6 days.

5. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?

Yes.

- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?

Yes, but only where there it is clear that rules are now difficult to understand/can be explained in multiple ways.

6. Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?

Yes. But only before a meeting. If the statement calls for clarification or other reaction, this can be given during a meeting. (if the EB puts clears time in the agenda) This way, countries can still share their country's practice, without burdening the meeting with statements that do not invite discussion.

If so:

- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?

For all proceedings. It offers also the possibility to exchange your view even when you are not able to join the meeting.

- Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?

If it is an official position it should be included in the summary record.

- Should such written statements be subject to limitations as to length?

Like with the oral practice in the GB the statements should be not more than 350 words (three minutes).

- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?

No [first thought. Surely there will be pros and cons as well]

- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?

No. This creates a written statement circus. Only the secretariat should be in the position to reply in writing.

7. *Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?*

Yes.

8. *Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?*

Yes.

- *Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?*

Officers of the WHA.

9. *Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?*

When the RoP are being amended anyway, this could be considered and as of now on documents should be gender neutral. Former documents can remain as they are, being also a reflection of their time.

10. *Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?*

Yes, the time-limits for submitting draft resolutions and decisions should be stricter. We propose a week.

- *Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?*

No.

11. *Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?*

For what problem is this solution? Leave it as it is if there is no real problem.

- *Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?*

For what problem is this a solution? Leave it as it is if there is no real problem.

12. *Should the provisions relating to verbatim and summary records reflect more closely the current practice?*

Yes.

13. *Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?*

Yes.

14. *Should “open meetings” of the Executive Board be renamed as “private meetings”?*

Yes.

15. *Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?*

Yes.

New Zealand



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Dear WHO Secretariat,

New Zealand appreciates your efforts in developing the consultation document 'Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly.'

We see significant value in maintaining the governing body meetings as open fora, allowing the opportunity for all to participate. We also recognise the efficiencies that could be gained through structuring how each group interacts, for example through seeking written submissions from some groups and including these in formal meeting records.

We also hope to see the governing bodies, particularly the Executive Board (EB), become fora where significant interaction and direction-setting on global health priorities is undertaken. We consider this will improve the ability of the World Health Organization (WHO) to work constructively on global health issues in alignment with country priorities.

Please use the two appendices attached as our response to the consultation paper:

- Appendix 1, page 2 - specific responses to consultation questions
- Appendix 2, page 7 - New Zealand's interventions on governance reform from EB140 (many comments refer to items of relevance for this consultation)

Please feel free to contact globalhealth@moh.govt.nz if any elements of this submission need clarification. We look forward to continuing to engage in this process.

Kind regards,

Stewart Jessamine
Director Protection Regulation and Assurance
Ministry of Health
(New Zealand WHO Executive Board Representative)

Appendix 1: Specific comments on consultation questions

Part A

Question for consultation #1

- New Zealand hopes to see the governing bodies, particularly the Executive Board, become environments with strong interactions and direction-setting on global health priorities. We consider this will improve the ability of WHO to work constructively on global health issues in alignment with country priorities.
- We continue to support clearly defining criteria for the inclusion of items on the provisional agenda of governing body meetings - making this process as objective as possible and articulating expectations to Member States. With the new criteria (agreed at EB141) for reviewing proposals for agenda items, we suggest:
 - that the assessment of proposals should be undertaken remotely via electronic means, with results consolidated by the Secretariat for the EB Officers to discuss;
 - that to improve equity, all EB members should be engaged in completing this remote electronic assessment of proposals, rather than only the Officers of the EB. Officers of the EB can then review the consolidated results and make final decisions on prioritising proposals accordingly.

Question for consultation #2

- We see significant value in maintaining the governing body meetings as open fora, allowing the opportunity for all to participate. We also recognise the efficiencies that could be gained through structuring interactions of different groups (i.e. EB members, non-EB members and non-state actors), for example through seeking written submissions from some groups and including these in formal meeting records.
- We agree that measures similar to those identified from the practice of other organisations and WHO bodies be adopted as appropriate, specifically:
 - We encourage development of a procedure to introduce automatic consideration of sun-setting (end-date) for draft resolutions. This will facilitate future-planning for agenda items and improve the ability to identify and respond to emerging priorities.
 - We also strongly support existing resolutions and decisions being reviewed with a view to deciding whether they can be sun-setted, and suggest that those >15 years old should be automatically sun-setted. We understand that a technical working group or committee may need to be established to review resolutions and decisions from the last 15 years and determine whether they are able to be sun-setted. Recognising some items may re-emerge as priorities again - the criteria for proposing agenda items for the EB should ideally capacitate items being reintroduced.
 - We have no specific comments on the Executive Board establishing a technical or other sub-committee to meet periodically and provide a forum for issues to be discussed and debated (and whether that body be empowered to make decisions and/or to refer matters directly to the Assembly). New Zealand is keen to see the role of the Executive Board and World Health Assembly clearly defined in the first instance (with the Executive Board allowing greater discussion on agenda items

and an enhanced governance role), and would be hesitant to see any additional mechanisms introduced which could impact efficiencies.

- We see value in the Executive Board agenda distinguishing between items that require discussion and those where a decision is expected to be taken without discussion. We support issues for information only not being included in the agenda, rather provided in writing in advance of the meeting with capacity for questions related to that item to be raised on the floor if needed.
- We support the idea that the Executive Board should request regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same region take the floor). We also recognise this may require some engagement and support from Regional offices to facilitate. Such a system could be structured as five minute regional positions, followed by two minute comments from Board members on specific issues (noting that silence of Board members should be taken as assent), followed by statements from non-EB member states, then non-state actors of two minutes maximum using the same rules (that comments add to the debate).
- An alternative option for encouraging free-flowing discussion, advancing debate and improving efficiencies would be to consider beginning items with any relevant secretariat comments, then non-state actors, followed by non-EB Member statements, and finishing with Board member comments/decisions reflecting their perspectives on key matters raised.
- We agree that channels should be provided for Member States to report on their experiences ('country statements') outside governing body meetings, including through direct submission of statements and through other mechanisms, such as questionnaires in advance of meetings. The aim of this process being to allow countries to share their valuable experiences, whilst minimising time taken for country statements during sessions, and enhancing discussion on key items of relevance to the agenda item/resolution/decision proposed. Member States will then be expected to only bring key issues or examples into their oral submissions. This will require the Secretariat clearly communicating a process for written submissions before the meeting, delivering papers as early as possible, making a web page available for country statements/opinion pieces ahead of the meeting and including reference to this site in the agenda. Clear communication of translation expectations and how the information included will be incorporated into meeting reports (for example, being hyper-linked) will be crucial.
- As many delegations face challenges with size and resources to review all governing body documentation, we agree that agenda items should be postponed if the relevant document is not available in all official languages at least three weeks in advance of the session.
- We strongly encourage WHO to explore tele- and video-conferencing options for meetings and consultations wherever possible, understanding that adopting resolutions may need to take place in person. If the governing bodies can begin demonstrating use of such tools, we consider this will set a positive example for other WHO technical meetings.
- We encourage early exchange of views on agenda items - promoting increased cooperation and communication of papers with Member States as they are drafted by the Secretariat. Ideally, this would be using technology such as Webex so

Member States Capital's can participate in discussions. This is particularly essential for Member States with smaller Permanent Missions.

Note: these elements will need to be implemented as a package rather than in isolation to ensure all views can be expressed and responded to through different mechanisms.

Part B

Questions for consultation #3

- We agree that proposals for the inclusion of items on the provisional agenda of the Assembly should be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda.
- Our preference is to pursue option 1¹ regarding the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51. We agree that this provides a more robust role for the Executive Board with respect to items proposed for the provisional agenda of the Assembly.

Questions for consultation #4

- We agree that the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) should be removed, so there is one rule governing proposals for additional items to the agenda in cases of urgency.
- We suggest that such proposals need to be submitted at least one week in advance of the opening of the session to allow enough time for preparation of necessary paperwork by the Secretariat and to give Member States the opportunity to review and consider in advance of sessions. Items should only be acceptable in case of urgency and proposals should be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency.
- If the current form is maintained, we agree that the time periods in Rule 12 need to be clarified, so as to make clear that requests for supplementary items must reach WHO by no later than six days before the opening of a regular session, or two days before the opening of a special session.

¹ **Option 1** = the explanatory memorandum would support the Board's assessment for purposes of deciding whether to include, defer or exclude from the provisional agenda of the Health Assembly, any item proposed by Member States, Associate Members, the United Nations and any other organization of the United Nations system with which the Organization has entered into effective relations.

Part C

Question for consultation #5

- We support further consideration of the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat.
- We support the Secretariat proposing language for amendments to the Rules of Procedure corresponding to issues identified in the consultation paper and carrying out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce a revised numbering system.

Question for consultation #6

- New Zealand agrees that the rules of procedure should be amended to allow delegations to submit written statements in addition to, or instead of oral interventions. We consider this will significantly improve the flow of discussions. We support the development of procedures and facilities:
 - for delegations to submit written statements for all proceedings, rather than this being limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides;
 - for these statements to be recorded in the summary records rather than placed on the WHO website “for information purposes only” as is the current situation;
 - for written statements to be subject to length limitations (ideally similar to the number of words spoken in the time limitations of an oral statement);
 - to allow other participants to exercise a right of reply in writing or in person on the floor in respect of matters contained in such written statements.
- We do not think that written statements need to be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters), however support the early posting of statements so others have a right to reply, as well as processes to encourage controversial matters to be raised through regional Executive Board representatives (*see Part A*).

Question for consultation #7

- We support the Rules of Procedure being amended to allow for the possibility of electronic voting where appropriate systems are available.

Question for consultation #8

- We support removing the requirement for a hard copy original of credentials.
- We agree with changing the process for consideration of credentials to relying exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system.
- We have no preference on whether the task of examining credentials continues to be delegated to a Credentials Committee, or moves to the officers of the Health Assembly - only request that the most efficient and practical mechanism is used for this procedure.

Question for consultation #9

- We support the Rules of Procedure being amended to replace gender-specific language throughout with gender-neutral language.
- We suggest that rather than all WHO documents² being retrospectively amended to replace gender-specific language with gender-neutral, that if any existing WHO documents are being updated in the future for other reasons, that the language is amended to replace gender-specific language with gender-neutral. If necessary, a simple decision reflecting the sentiment that all existing WHO documents should be considered with gender-neutral language may be a less time-consuming task for the organisation.

Question for consultation #10

- We support the time-limits for submitting draft resolutions and decisions allowing all delegations enough time to consult with their countries and others in advance of discussions on the item, and are happy to be guided by others on a specified time frame.
- We support amendment to rule 48 of the Rules of Procedure of the Health Assembly to allow for exceptions to be made without resorting to formal suspension of the rule.

Question for consultation #11

- We have no preference for the number of Alternates and Advisers in delegations.
- We have no preference regarding amending the rules to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings.

Question for consultation #12

- We support that the provisions relating to verbatim and summary records reflect more closely the current practice, particularly if moving to records including other written statements that may not have been given on the floor.

Question for consultation #13

- We support that the rules of procedure include provision for a motion to suspend the debate on an item under discussion.

Question for consultation #14

- We support that “open meetings” of the Executive Board be renamed as “private meetings”.

Question for consultation #15

- We support that the rules of procedure be revised to reflect the provisions and terminology of FENSA.

² other than the Constitution and Treaty-level documents

Appendix 2: New Zealand interventions on Governance Reform Item 14.2, EB140

Many of the comments raised in New Zealand interventions on item 14.2 at EB140 remain relevant - however we recognise some matters have evolved since the EB140 discussions.

Part 1: Intervention on improving efficiencies of governing body meetings

Ma te tika o te toki o te tangere, me te tohu o te panaho, ka pai te tere o te waka i nga momo moana katoa.

By designing and shaping the keel of the waka (canoe) to perfection, your canoe will overcome obstacles.

New Zealand appreciates the Secretariat and Officers of the EB considering how to improve efficiency of these meetings. We recognise it is a complex issue. The agenda paper captures key issues, and has led us to the following conclusions/suggestions, all of which we are happy to discuss in greater detail with the Secretariat, or officers of the EB.

These suggestions are based on our understanding that the role of EB (and its subcommittees) is essentially as a governing board. The EB sets the direction of travel and is a policy peer review body, not a policy formulation body. Rather, policy and its implementation is the role of the Secretariat.

A) Reducing the number and promoting orderly consideration of items on the agenda:

- We should discuss what, if any, capability WHO has to accept new items on to its work program within each biennium.
- We should review historic decisions/resolutions arising on upcoming agendas and whether any can be put aside and/or the work program halted – otherwise termed ‘sunsetting.’ We understand EURO undertook a similar process recently. Recognising some items may become priorities again - the criteria for agenda item proposals would need to capacitate them being reintroduced.
- We agree that the process for inclusion of items on the Health Assembly agenda should be identical to the Executive Board – the same criteria and explanatory memorandum.

B) Improving the efficiency of meetings:

1. Maximising benefits of discussions in the PBAC
 - We agree entirely with discussing elements of the PBAC report alongside their relevant Executive Board or World Health Assembly agenda items. This enables PBAC advice to properly inform discussions.
2. Improving management of statements
 - We need to reinforce the purpose of interventions at the Executive Board and PBAC - to be providing direct comment on the papers being considered to improve their quality (and include information on this in the guides to the governing bodies). For EB and PBAC (and potentially down the track WHA) we need to find a way to manage country statements of performance on agenda items. To do so, we suggest two main approaches – structuring the debate and refining country statements:

- A. Structuring the debate: Five minute regional positions, followed by two minute comments from Board members on specific criticism, or strengthening issues to policy. Noting that silence is assent - so if you agree, there may be no need to say anything. This would be followed by statements from other member states and NGOs of two minutes maximum, using the same rules - that comments add to the debate.
 - To encourage the EB governance role and efficient decision making – we could also consider beginning with non-EB Member statements, then NGOs, followed by EB comments/decisions reflecting key matters raised.
 - Could also consider having Secretariat comments at the beginning of each item to reflect work undertaken to date and remove the need for this to be repeated in multiple Member State interventions.
 - All members of the Secretariat must also stick to time and clearly answer the questions posed or set out the process they will follow given comments made during the agenda item.
 - Papers should be grouped into subject matters rather than split across subjects into multiple papers to reduce the number of interventions.
 - B. Country statements seem to usually be written prior to the meeting – these could possibly be published on the WHO website in advance of the meeting. This will enable Member States to only bring key issues or examples into their oral submissions. This would require:
 - the Secretariat communicating this process clearly before the meeting, delivering papers as early as possible, making a web page available for country statements/opinion pieces ahead of the meeting and including reference to this site in the agenda.
 - Clear understanding of translation expectations and how the information included will be incorporated into meeting reports (for example, being hyper-linked).
3. Encouraging early exchange on views on agenda items
- We should promote increased cooperation and communication of papers with Member States as they are drafted by the Secretariat as a way forward. Ideally, this would be using technology such as Webex so Member States Capital's can participate in discussions. This is particularly essential for Member States with smaller Missions.
 - The chair should police to the framework regarding policy peer review process, etc.

Part B: Intervention on the inclusion of items on the provisional agenda of governing body meetings

- New Zealand strongly supports clearly defining criteria for the inclusion of items on the provisional agenda of governing body meetings – making this process as objective as possible and articulating expectations to Member States is essential. We recognise and appreciate the work of the Secretariat and Officers of the EB.
- We wondered if the Secretariat could please provide some clarity on the exercise undertaken to establish criteria and weightings - was this modelled/based on another UN or other organisation's system?
- We suggest the following considerations for the criteria:
 - Further explanation on sub-criteria – some currently appear open to a range of interpretations e.g. factor A4 – the extent to which it is perceived as being of a global public health threat.

- More priority placed on the potential resource impact for WHO – with specific mention of different resources, for example human and financial. A clear understanding on whether the item fits within existing resources or not would be valuable. This will likely require discussions with the secretariat prior to submission, and we encourage this.
- As mentioned in our previous intervention – if a ‘sunsetting’ process is applied to future agendas – there will be a need to clearly outline how re-emerging issues can be prioritised for agenda proposals.
- Suggest further alignment and recognition of the SDGs (this is particularly important with the upcoming changes to the Programme Budget and General Programme of Work to align with the SDGs agreed to in this meeting).
- And as a far-off idea – we could also consider whether assessment of proposals, weightings and prioritisation could be undertaken by all EB members (through a simple electronic system).
- New Zealand is very keen to participate in this discussion moving forward and assist in any way possible.

Norway

Norwegian input to the web consultation on proposals for change to WHO Rules of Procedure

We appreciate the opportunity to provide comments to the document. We have the following comments at this stage;

General remarks;

- Norway welcomes the debate on continued improvements in WHO Governance, and the proposals raised in the document. We need to make headway on Governance reform and proposals raised in the document are an important contribution to the debate.
- Despite several efforts over the last years, it is important to keep in mind that Member States have not succeeded in making necessary progress so far. We believe a critical look at the working methods of the Governing bodies is needed. And we need to explore ways to make work in WHO Governing Bodies more efficient
- A high degree of Member State engagement in WHO is first and foremost an asset and must be a goal for the organization. It is WHO's unique role in the global health architecture to provide an arena for development of agreed global norms and standards, informed by evidence, under the principle of multilateralism. It is precisely for the difficult and controversial issues that we need WHO's governing bodies, *including* the informal deliberations and negotiations leading up to the meetings. We need to ensure both inclusiveness and broader (and equal) participation and the need for efficiency.
- It would therefore be helpful to have a clearer articulation of what the problem is and what are we trying to fix. If we have no common reading of what is the problem, it will be harder to rally Member States around solutions, especially far-reaching proposals that could be interpreted as infringing upon established rights of Member States in meetings of WHO governing bodies
- It is key to take into account that work in WHO governing bodies is based on consensus. The need to make proceedings in WHO governing bodies more effective must be weighed against the need for sufficient venues through the year to allow for discussions and subsequently consensus to form. To get a better understanding of best practice in other UN specialized agencies will be important, especially other relevant organizations that also operate on the basis and principle of consensus in their Governing bodies
- Discussions and further work should be as focused as possible. Governance reforms should be incremental rather than radical, and guided by clarity and feasibility. A high number of actions is not in itself a measure of success. Questions raised in the 3 sections of the document are quite different in terms of importance and impact. It is most important to reach agreement on a way forward on the questions with the highest impact on Governing Body proceedings
- The meeting of September 21 should read through all the proposals, first and foremost with the purpose of outlining a process for further work, including identifying where more background information etc from the Secretariat is needed.

Section A

We will need more fully developed and elaborated proposals/solutions to be presented, taking the full governing body cycle, including informal processes, into account so that we do not end up saying yes or no to proposals we do not fully understand the consequences of. Two examples where such a broader understanding of context is needed;

- Regarding the proposal to not allow Member States that are not Members of the EB, the right to speak in official meetings, including in the EB subcommittees (PBAC); what will the consequences of such a proposal be for intersessional work and for the proceedings at WHA? Such restriction of the right to speak could lead to more unpredictable and longer WHA processes because there has not been sufficient time for discussions and consensus to form. And what should happen with NGOs in official relations; would they also lose their right to speak at the EB meetings?
- What are the practical consequences in terms of added work load if the principle of regional representation is applied for Members of the EB Bureau? And also for Regional coordinators? This becomes an even more important question if the intention behind the proposal is not just regional involvement ahead of the Bureau meeting in September (following the deadline for submission of proposals for additional agenda items), but to foster a more regular dialogue between the Bureau and WHO in between the meetings of the Executive Board.

Sections B and C

- The proposals are different in nature; some with larger impact, and others potentially quite straightforward
- We would welcome draft proposals from the Secretariat on concrete language for the different rules identified
- We believe that no complete rewriting of Rules of Procedure is needed at this stage. It could only risk taking away the focus in the much needed discussions on other high impact aspects

Poland



Consultations on the Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly

– Input from the Republic of Poland –

Poland would like to thank the Secretariat for presenting Member States (MS) with the paper for consultations on different options to improve the methods of work of the WHO Governing Bodies. We are pleased to see many thoughtful solutions and proposals that allow Member States to consider ways to follow the spirit of the WHO reform leading to dissolve ambiguities, gaps and other shortcomings that impede the proceedings of the Executive Board (EB) and World Health Assembly (WHA). Please find below our initial comments regarding the proposed solutions. Poland is willing to engage constructively in further deliberations on this very important issue.

No.	Question	Comment
1.	<i>In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?</i>	First of all it is us, the Member States, that should follow the rules that we create and beside requiring discipline from the Secretariat we should mostly require it from ourselves. The Secretariat should also provide more in-depth trainings for the Officers of the Board, Board Members, WHA presidents and chairpersons of the Committees to allow as smooth proceedings as possible.
	<i>Member States are invited in addition to identify specific measures that might be considered.</i>	
2.	<i>Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?</i>	Yes to both questions. Basing on the experience of the EURO Region this is a good solution.
	<i>Should the Executive Board establish a technical or other sub-committee, which would</i>	Such a solution is not necessary. MS have the possibility to discuss issues other than directly health-related at

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<p><i>meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</i></p>	<p>the PBAC sessions, so what other issues could be discussed outside the EB and PBAC. Any power to make decisions should be mandated only to the EB or through the EB.</p>
<p><i>Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</i></p>	<p>This proposal is worth considering – in the annotated agenda and in the introductory note in each of the report related to certain agenda item the Secretariat could provide a clear instruction whether this agenda item requires a resolution / decision / discussion. Then the speaking time allotted to such an agenda may differ – e.g. 3 minutes per delegation for items requiring resolution and 2 minutes for agenda items that are only noted.</p>
<p><i>Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</i></p>	<p>Bearing in mind the fact that regions differ when it comes to their membership, it might be more troublesome for bigger region to find a common statement to agenda items. However, if possible, such a solution should be encouraged, and that includes also a sub-regional groupings.</p>
<p><i>Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</i></p>	<p>Such a solution would diminish the inclusiveness of the Board, and that should prevail. However introduction of stricter time-limits for non-EB Members would be welcomed.</p>
<p><i>Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</i></p>	<p>Very good proposal – every statement that describes only a national situation, without any reference to report being discussed, should be placed on a dedicated website and MS should refrain from describing in detail their country situation.</p>
<p><i>Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</i></p>	<p>We do not support such an approach – then agenda item might be dropped off the agenda due to reasons beyond MS control.</p>

	<i>Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</i>	WHA should prevail as the main policy making body of the Organization, whereas the EB should fulfil its executive mandate and prepare the WHA.
	<i>Should video tele-conferencing be available for meetings and consultations?</i>	Yes, password protected access for MS to different meetings is worth supporting.
3.	<i>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</i>	Poland supports such a solution.
	<i>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</i>	In our opinion it's the EB role to prepare the WHA session and the mandate to decide on proposals for inclusion in the provisional agenda of the Assembly should rest in EB prerogative.
4.	<i>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</i>	Clear understanding of such rule would be required indeed, however we are of the opinion that only Rule 12 should prevail.
	<i>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</i>	Every additional item that appears on WHA's agenda should only be allowed due to its real urgency (epidemics, natural disaster, conflicts, etc.) and a supporting statement to include such a topic, basing on its urgency, would be required. Poland is of the opinion that the current timeline of 6 days is acceptable and durable.

	<i>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days <u>before</u> the opening of a regular session, or two days <u>before</u> the opening of a special session?</i>	Such clarification would be very supportive – as proposed in the consultation paper.
5.	<i>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</i>	
	<i>- Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?</i>	Yes, it should be the Secretariat’s responsibility, however we are aware of the fact that agreeing on different language proposals would some time.
	<i>- Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?</i>	If we are working on a final product to introduce changes that would reduce any ambiguities, then we should also take care of numeration etc.
6.	<i>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions? If so:</i>	We are of the opinion that delegations should be allowed to submit written statements. However such statements should be rather limited to presenting additional data supplementing oral statement (e.g. presenting national data, etc.) and should not provide the opportunity to create any controversies related to the ongoing debate on certain agenda item.

	- Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?	Presenting of written statements should be allowed for all the proceedings and the presiding officer should refrain from asking delegations to present such a statement only when the time is short, because then the topics of such statements would be limited only to those agenda items that are left for the last days of the EB or WHA session.
	- Should these statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?	They should not form official summary records.
	- Should such written statements be subject to limitations as to length?	No, it would be up to MS to decide on its length.
	- Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?	As stated above.
	- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?	Since our proposal is to limit such a statements only to supplementary information, in order to avoid controversies, we think that a right to reply would not be necessary.
7.	Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?	Yes.
8.	Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?	The requirement to present a hard copy of the credentials could be sustained, however we would welcome any information on the practices in this regard in other UN fora.
	Should the task of examining credentials continue to be	It should be the Credentials Committee, composed of the MS, that should examine the credentials.

	<i>delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</i>	
9.	<i>Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</i>	Yes.
	<i>Should other WHO documents, other than the WHO Constitution and other treaty-level documents, also be amended to replace gender-specific language throughout with gender-neutral language?</i>	We do not have anything against such a solution, however we would like to be presented with a cost analysis of such amendments. We would also like to be informed whether such changes would be introduced only in new documents or if already existing ones would also be amended.
10.	<i>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</i>	We are of the opinion that current time-limits are appropriate, however it is needed to secure that every MS obey those limits.
	<i>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</i>	Poland thinks that the more exceptions we made to certain rules, then the easier way we create to override them.
11.	<i>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</i>	We do not object this proposal which is logical – delegations should have as many alternates as persons they alternate, however we do not object to sustain the current rule.
	<i>Should the rules be amended to clarify that only “delegates” and “alternates” may be</i>	We think that there should be no distinctions between Plenary meetings and Committees when it comes to voting. The question is to really check whether a person

	<i>designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</i>	that is casting a vote is entitled to it – that is not followed every time by the Secretariat.
12.	<i>Should the provisions relating to verbatim and summary records to reflect more closely the current practice?</i>	The practice in place is sufficient.
13.	<i>Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?</i>	Yes, such a provision should be introduced.
14.	<i>Should “open meetings” of the Executive Board be renamed as “private meetings”?</i>	Yes.
15.	<i>Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</i>	If MS want to avoid any gaps then we should use one terminology.

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Spain

(Spanish version)

Nº de pregunta	Página	Pregunta	Respuesta española
1	7	<p>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</p> <p>- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?</p> <p>- Member States are invited in addition to identify specific measures that might be considered.</p>	<p>La sobrecarga, y ocasional dificultad a la hora de tomar decisiones, del Consejo Ejecutivo se debe a su competencia general y a su doble naturaleza de foro de toma de decisiones de debate. España apoya que el Consejo Ejecutivo profundice en la delegación de funciones hacia otros órganos de rango inferior y de composición abierta.</p>
2	7	<p>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate?</p> <p>Questions that Member States may wish to respond to in this regard may include:</p>	
		- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?	- Si. Si.
		- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?	- Sí. Si. Se podrían concebir varios de estos subcomités, relativos a amplias áreas de trabajo de la OMS. El papel del PBAC debe reforzarse, y su composición debería ser abierta o independiente de la del Consejo Ejecutivo.
		- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?	Sí. No (salvo que la información en cuestión sea considerada urgente o de gran interés).
		- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?	- Sí, siempre que se otorgue a la UE un reconocimiento específico como agrupación regional.
		- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?	- No, a no ser que los miembros del Consejo Ejecutivo pasasen a ser meros portavoces de una circunscripción, posibilidad que merecería estudiarse.

		- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?	-Si, en lo posible.
		- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?	- Sí.
		- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?	- Tal división podría ser útil, pero dar mayor autonomía decisoria al Consejo Ejecutivo podría socavar la cultura del consenso en la OMS.
		- Should video tele-conferencing be available for meetings and consultations?	- Si.

3	9	<p>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</p> <p>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</p>	<p>- -Sí</p> <p>- La primera (que el Consejo Ejecutivo pueda decidir la inclusión, posposición, o exclusión).</p>
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4	10	<p>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</p> <p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</p> <p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the</p>	<p>Si.</p> <p>Urgencia, ponderada por el impacto estimado en la salud mundial.</p> <p>Las propuestas deberían llegar en</p>
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		Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?	general con mayor antelación que seis días.
5	11	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? 	<p>Sí.</p> <p>Sí.</p>

6	12	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</p> <p>If so:</p> <ul style="list-style-type: none"> - Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides? - Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”? - Should such written statements be subject to limitations as to length? - Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)? - Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements? 	<ul style="list-style-type: none"> - Sí - Su uso no debería limitarse, salvo que la presidencia estimase que existen razones especiales. - Sí debería constar en acta. - Su extensión debería limitarse. - No tendrían por qué limitarse temáticamente. - Sí
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7	13	Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?	Sí.
8	14	<p>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</p>	Se podría dispensar de la presentación de la plenipotencia original, pero se debería poder solicitar ver el original siempre que fuera necesario. La tarea podría pasar a la Mesa de AMS.
9	16	Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?	Sí, teniendo en cuenta también el principio de economía del lenguaje, y el principio de claridad.
10	16	Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50	Una gobernanza eficaz exige tener flexibilidad para poder aprobar proyectos de resolución y de decisión en plazos

		<p>of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p>	reducidos.
11	17	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p>	No debería haber limitación en el número de suplentes. Se debería poder autorizar a los asesores a votar en nombre de su delegación en todas las votaciones.
12	18	Should the provisions relating to verbatim and summary records reflect more closely the current practice?	Las actas son gran importancia, y se deben dedicar los recursos necesarios para que sean lo más fieles posible (y en todos los idiomas oficiales).
13	19	Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?	Sí.
14	19	Should “open meetings” of the Executive Board be renamed as “private meetings”?	Sí.
15	20	Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?	Sí, donde sea necesario para evitar contradicciones dentro del marco normativo de la OMS..

(English version)

Question no.	Page	Question	Spanish response
1	7	<p>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none">- In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?- Member States are invited in addition to identify specific measures that might be considered.	<p>The excessive workload of the Executive Board and the occasional problems it experiences at the decision-making stage are due to the general nature of its mandate and its dual function as a decision-making and a discussion body. Spain supports the further delegation of powers by the Executive Board to other, lower-ranking, open-ended bodies.</p>
2	7	<p>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate?</p> <p>Questions that Member States may wish to respond to in this regard may include:</p>	
		<ul style="list-style-type: none">- Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?	<p>-Yes and yes.</p>
		<ul style="list-style-type: none">- Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?	<p>- Yes and yes. A number of subcommittees could be envisaged, covering the broad areas of WHO's work. The role of PBAC should be strengthened and its membership should be opened up or be made independent of the Executive Board.</p>
		<ul style="list-style-type: none">- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?	<p>Yes. No (unless the information in question is considered urgent or of significant interest).</p>
		<ul style="list-style-type: none">- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?	<p>- Yes, provided the EU is given special recognition as a regional grouping.</p>
		<ul style="list-style-type: none">- Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?	<p>- No, unless members of the Executive Board become spokespersons for a particular constituency, a possibility that might be considered.</p>

		- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?	-Yes, as far as possible.
		- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?	- Yes.
		- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?	- This might be helpful, but giving more decision-making autonomy to the Executive Board could undermine WHO's consensus culture.
		- Should video tele-conferencing be available for meetings and consultations?	- Yes.

3	9	<p>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</p> <p>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</p>	<p>- -Yes.</p> <p>- The first option (i.e. that the Executive Board can decide to include, defer or exclude).</p>
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4	10	<p>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?</p> <p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</p> <p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the</p>	<p>Yes.</p> <p>Emergencies, weighing up the likely impact on world health.</p> <p>In general, proposals should arrive</p>
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		Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?	earlier than six days before a session.
5	11	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? 	<p>Yes.</p> <p>Yes.</p>

6	12	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</p> <p>If so:</p> <ul style="list-style-type: none"> - Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides? - Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”? - Should such written statements be subject to limitations as to length? - Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)? - Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements? 	<ul style="list-style-type: none"> - Yes. - There should be no restrictions, unless the presiding officer considers that special circumstances pertain. - Yes, they should appear in the records. - Their length should be limited. - There should be no restriction on topics addressed. - Yes.
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7	13	Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?	Yes.
8	14	<p>Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</p>	The requirement for a hard copy original could be dispensed with, but delegations should nevertheless be able to produce one if asked. The task should be performed by the officers of the Health Assembly.
9	16	Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?	Yes, also bearing in mind the principles of linguistic concision and clarity.

10	16	<p>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p>	Efficient governance requires the flexibility to approve draft resolutions and decisions within a shorter time-frame.
11	17	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p>	There should be no restriction on the number of Alternates. Advisers should be authorized to vote on behalf of their delegation in all proceedings involving a vote.
12	18	Should the provisions relating to verbatim and summary records reflect more closely the current practice?	The records are very important and appropriate resources should be devoted to ensuring that they reflect the proceedings as faithfully as possible (and in all the official languages).
13	19	Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?	Yes.
14	19	Should “open meetings” of the Executive Board be renamed as “private meetings”?	Yes.
15	20	Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?	Yes, where necessary to avoid discrepancies within the normative framework of WHO.

Sweden

QUESTIONS FOR CONSULTATION ON RULES OF PROCEDURE – SWEDEN

General remarks

In line with the Strategy for Sweden's cooperation with the World Health Organisation (WHO) 2016–2019, and based on its assessment of WHO, one of Sweden's priorities is the organisation's working methods, governance and role. This includes efforts to establish more efficient working methods for the governing bodies.

Despite several efforts over the last years, governance reform has made far too little progress. This has come to hinder our ability to efficiently prepare for, as well as fully participate in, the governing bodies. It is important to note it is the Member States who have not succeeded in making necessary progress. There is significant room for improvement and we need to explore ways to make work in WHO Governing Bodies more efficient. Sweden welcomes this process and supports the high ambitions shown by the new DG in making the governing bodies more efficient.

16. In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? Member States are invited in addition to identify specific measures that might be considered

The sessions of the Executive Board have come to resemble a miniature version of the WHA and its executive role is weak. Sweden supports actions towards an effective functioning of the Board with a strong executive role. We believe that there is major scope for improving the division of labour and items between the DG, WHA, EB, PBAC and the RCs. Each structure should have a clear mandate, role and authority and a guiding principle should be that every entity does not deal with everything, especially when it comes to the distinction between headquarters and the regions.

We seek greater transparency in the role and work of the Bureau of the Executive Board. We note a wish by the new DG to change in the role of the Bureau Officers to become bridges into their regions, ie representatives of their regions and not *from* their region as is the case today. If the EB Bureau Officers are to officially represent their respective region, this change needs to be carefully considered as it risks duplicating the role of the regional coordinators and the Bureau officers do not currently have a network set up to relay information. Consideration may need to be given to combining the role of Officer/regional coordinator (see FAO) or ensuring that a network is built to communicate if the Officers are to be regional representatives in the role as the DG's "bridge" between EB meetings.

17. Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

- ***Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?***

Sweden strongly supports the sun setting of resolutions. Decision through and by resolutions could rather be taken forward and followed up through programme budget, its performance assessment and other relevant reports.

- ***Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?***

Targeted, time-bound working groups attached to the EB could be useful, but they should be ad hoc, report to the EB and not have direct reporting lines etc to the WHA.

- ***Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?***

First and foremost, the agenda of the EB needs to be limited in the number of items it includes. It is not reasonable or feasible, even for bigger delegations, for a board member to read, prepare and address 60+ agenda items in one single meeting.

It would be very useful to make a distinction of the items, possibly in three categories:

- For decision (EB has the authority to decide)
- For guidance for WHA matters and decisions
- For information

Board members should be allowed to comment on all agenda items.

- ***Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional Statements (rather than having several members of the same group take the floor)?***

It is important to note that Member States represent themselves and not their Region. But of course if many board members have the same opinion one should avoid repeating the same message.

Moreover, given the ambition that the board should act as a board, statements should be avoided.

- ***Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?***

Denying non EB members to voice their opinion might be a bit difficult, also taking into account the desire to give NGOs an opportunity to speak. But it would be useful to make a more clear distinction between EB members (for example through speaking time) and observers moving in the direction that the board shall act as a board. It is crucial that the chair has the authority and capability to make that distinction in the debate so that observers are not allowed to alter decisions by the Board. The Board should however listen to other voices.

However, limit the speaking time and encourage written statements instead of verbal ones, if delegations are only going to read pre-written statements.

- ***Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country Statements during the session)?***

Yes, it would be useful if WHO provides other platforms for sharing of experiences between countries. The side meetings during the WHA already serve that purpose. Perhaps one should think about a WHO Global Health Forum again.

- ***Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?***

Sweden supports Malta's comment:

The rules of procedure currently stipulate that documents in all official languages are to be made available to Member States six weeks before the commencement of the a regular session (Rule 5) of the EB, unless it decides

otherwise will not discuss the item until 48hrs have elapsed since the documentation is made available (Rule 11). It is felt that both these timelines are unreasonable. Given the current number of agenda items it is not possible for the Secretariat to provide all documents six weeks in advance. It is therefore felt that this should be reduced to three weeks. This will allow enough time for Member States to evaluate the documents. It is also proposed that the 48 hour provision in Rule 11 should be removed and the Board will decide whether or not to discuss the agenda item if the documents are not available within the three weeks that will have been stipulated in an amended Rule 5.

- ***Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?***

The roles of the EB and WHA are defined in the Constitution and should be upheld accordingly. In addition, it would be useful to make some sort of inventory in terms of who can and should decide on what

- The Director General
- RC
- PBAC (not a decision-making body)
- EB
- WHA

And as a guiding principle aim for as high delegation of authority as possible and to greatest extent possible avoid that the same issues are processed at several levels, unless it is necessary.

- ***Should video tele-conferencing be available for meetings and consultations?***

Webcasting is very good and useful. For EB members to join by phone is not desirable and it would not be feasible for the full board to meet by TC/VC.

18. Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?

Yes, as stated, an explanatory memorandum has been prepared for all items addressed by the Board, and this should also be the case for items put straight on the WHA's agenda.

- ***Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?***

Option 1. The Executive Board is responsible for the preparation of the provisional agenda for the WHA.

19. Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency?

- ***What criteria should apply to any such proposals?***
- ***In particular, what timeline for submission should apply?***
- ***should items only be acceptable in case of urgency?***
- ***should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?***

With a well-functioning Bureau there should be no need to propose additional items unless there is an emergency. Such proposals should be accompanied by an explanatory memorandum

- ***In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the***

Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?

Sweden supports the comment made by Malta:

The rules of procedure as they stand provide room for Member States to bypass the procedure and insert additional agenda items as supplementary items on both the Assembly agenda as well as the EB agenda. Rules 11 and 12 should be replaced by a single rule which allows the request for the addition of a supplementary item in truly urgent situations. Such a request must reach the Organization by no later than six days before the opening of a regular session.

20. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:

- **Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper?**
- **Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system?**

Yes it would be very useful if the Secretariat can propose relevant changes to the Rules of Procedure following this consultation process, to be presented to the Board.

21. Should the rules of procedure be amended to allow delegations to submit written Statements in addition to or instead of oral interventions?

If so:

- **Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides?**
- **Should these Statements be recorded in the summary records or, as at present, placed on the WHO website "for information purposes only"?**
- **Should such written Statements be subject to limitations as to length?**
- **Should such written Statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)?**
- **Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written Statements?**

The role of the EB is to discuss the technical content of documents prepared by the Secretariat, endorsing those documents or referring them to WHA. Therefore, reading pre-written statements should generally be avoided at the EB. In order to reach a decision, the EB members should ask questions, make interventions and debate issues and explore solutions

If EB members would like to share experiences and information in general other modalities should be explored for that.

At the WHA there is a slightly different situation and formal statements are more appropriate.

22. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?

Given that a secure system can be introduced electronic voting is preferable.

- 23. Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?**
- Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?

It is important that the authenticity of the credentials can be verified, which may or may not require an original copy to be presented. Sweden is in favour of any simplification which doesn't reduce the security of the system.

- 24. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?**

Yes, gender-neutral in alphabetical order.

- 25. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current timelimits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?**

Yes. Ideally, the rules regarding the submission of proposals for resolutions/decisions on agenda items should be the same for both the EB and the Assembly as well as to the Regional Committees. Sweden supports changing the rules based on the current practice of the European Region. This would make the timeline stricter for submitting proposals (at least seven days prior to the opening of the first day of the session of the EB or the WHA).

- 26. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted? Should the rules be amended to clarify that only "delegates" and "alternates" may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?**

Yes, it seems reasonable to have one alternate for each of the delegates and to amend the rules.

- 27. Should the provisions relating to verbatim and summary records reflect more closely the current practice?**

The provisions relating to verbatim and summary records should strive towards achieving the objectives of them.

- 28. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?**

Yes.

- 29. Should "open meetings" of the Executive Board be renamed as "private meetings"?**

Yes, as the current names are misleading.

- 30. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?**

Yes.

Switzerland



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Swiss Confederation

Consultation on the modalities and methods of work of the Executive Board and Rules of Procedures of the Executive Board and World Health Assembly

Comments by Switzerland, 5 October 2017

Introduction

Switzerland thanks the Secretariat for the presentation of specific questions concerning WHO's envisaged governance reform. We continue to support strategic and practical recommendations aimed at enhancing the governing bodies' work methods.

In our view, the most fundamental questions are on the preparation, documentation and management of governing bodies' meetings. This includes enhancing the role of the chair and a differentiation of the role of EB members and non-EB members concerning their intervention at EB meetings.

Switzerland looks forward to continuing finding jointly with the WHO secretariat and WHO members potential improvements in WHO's governance.

Question for consultation	Question
1	<p><i>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</i></p> <ul style="list-style-type: none"> - <i>In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved?</i> <p>The specific role of the EB in its function to advise the WHA and to facilitate its work should be more distinctly specified.</p> <ul style="list-style-type: none"> - <i>Member States are invited in addition to identify specific measures that might be considered.</i> <p>Measures might be introduced to strengthen the chair's discussion management; discussions in plenary might be framed more systematically.</p> <p>Duplications between PBAC and EB meetings should be avoided; the PBAC report would thereby gain in significance as a management tool for the EB.</p>
2	<p><i>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:</i></p> <ul style="list-style-type: none"> - <i>Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?</i> <p>Switzerland supports the practice of sun-setting as it is being applied in WHO EURO.</p> <ul style="list-style-type: none"> - <i>Should the Executive Board establish a technical or other sub-committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</i>

	<p>Switzerland is not in favour of creating additional bodies within WHO's already complex governance structure. Also, only the EB has the powers to refer matters to the WHA. We support the current practice based on rule 16 of the EB Rules of Procedure allowing for ad hoc working groups.</p> <p>- <i>Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</i></p> <p>A distinction might be helpful but should in no way exclude the possibility to discuss matters that were classified as for information only. Such a distinction would need to be based on clear criteria.</p> <p>- <i>Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</i></p> <p>Yes. However, it should remain possible to express a view that would diverge from the regionally concerted position.</p> <p>- <i>Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</i></p> <p>Switzerland supports the introduction – albeit by ensuring a fair process – of a <i>differentiated</i> treatment of the interventions of board members and non-board members. We are in favour of further discussing possible means to operationalize this proposal, including suggestions to make positions from civil society be heard.</p> <p>In case of a change of practice, we would recommend a transition period as current members of the EB were elected under a different rule. Terms of reference outlining the new responsibility of a Board member to integrate positions (also diverging ones) of a Member State from the same region into his/her statement would need to be elaborated.</p> <p>- <i>Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</i></p> <p>Questionnaires might not be the best alternative for presenting national experiences.</p> <p>- <i>Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</i></p> <p>Timelines set out in the rules of procedure need to be respected. If documentation is not available in due time, we suggest that the agenda item is being moved to the next session. However, we suggest to review the times required for submitting documents (currently 6 weeks requested by rule 5). Also, an exception might be foreseen to keep the issue on the agenda, even if the time-limit for translation has passed, in case a certain number of States (to be defined) asks for it to be maintained.</p> <p>- <i>Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</i></p> <p>Yes. A clarification would be needed based on the definition of the respective roles of the WHA and the EB as defined in the Constitution (Art 28).</p> <p>- <i>Should video teleconferencing be available for meetings and consultations?</i></p> <p>Yes.</p>
3	<p><i>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</i></p> <p>Yes.</p> <p><i>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</i></p> <p>Option one. Switzerland supports the strengthening of the EB's role in the preparation</p>

	of the WHA's draft agenda.
4	<p>Should the distinction between “new activities to be undertaken by the Organization” (Rule 11 of the Rules of Procedure of the Health Assembly) and other “supplementary items” (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda in cases of urgency? Yes.</p> <p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency? Yes.</p> <p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days <u>before</u> the opening of a regular session, or two days <u>before</u> the opening of a special session? Yes.</p>
5	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? Yes – for consensual issues; other issues might need further discussion before language proposals by the Secretariat. - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? This would depend on the outcome of the ongoing discussions.
6	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions? Yes – both options should be open to Member States. If so:</p> <ul style="list-style-type: none"> - Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides? Automatically available. - Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”? The current practice should be maintained, whereby a heading “written statements” might be introduced to clarify the option chosen by a Member State. - Should such written statements be subject to limitations as to length? Yes, just like the oral statements. - Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)? No. Presentation of national practices should be aimed at facilitating the EB’s policy discussions, i.e. they should be presented as a best practice model. - Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?
7	<p>Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available? Yes, as it has been introduced in other UN organisations such as the Human Rights Council, FAO and ILO.</p>
8	<p>Should the requirement for a hard copy original of credentials be dispensed with? Yes.</p>

	<p><i>In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</i></p> <p>Yes.</p> <p><i>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</i></p> <p>Both options are possible, the most efficient and practicable option should be chosen.</p>
9	<p><i>Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</i></p> <p>Yes, where possible.</p>
10	<p><i>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</i></p> <p>Yes.</p> <p><i>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</i></p> <p>No.</p>
11	<p><i>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</i></p> <p>We don't see in which way this would improve the efficiency of the board meetings.</p> <p><i>Should the rules be amended to clarify that only "delegates" and "alternates" may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</i></p> <p>We would appreciate clarification on the relevance of these changes.</p>
12	<p><i>Should the provisions relating to verbatim and summary records reflect more closely the current practice?</i></p> <p>Yes.</p>
13	<p><i>Should the Rules of Procedure include provision for a motion to suspend the debate on an item under discussion?</i></p> <p>Yes, this would formalize current practice.</p>
14	<p><i>Should "open meetings" of the Executive Board be renamed as "private meetings"?</i></p> <p>A more appropriate name for "private" might be found.</p>
15	<p><i>Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</i></p> <p>Yes</p>

Thailand

Comment on Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly

Question	Comments
<p>1 Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making. Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none"> - In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? - Member States are invited in addition to identify specific measures that might be considered. 	<ul style="list-style-type: none"> - Member States, especially the members of the Board should be encouraged to submit the written comments to the secretariat for the agenda items for noting. This will help save time significantly. If there is no resolution from such agenda, the EB chair may assume that the EB takes note of the report; and conclude the agenda as quickly as possible. - The Board should pay high attention to the strategic and policy agenda which is designed for deliberation for necessary actions to be taken by the Board and the Assembly. The format should encourage more interactive discussion, rather than prepared statements; the Chair of the Board needs to stimulate interactive discussion; while EB members are encouraged not to make written statement but more interactive discussion and make decision rather than one-way dialogue between Chair and EB members. Currently, there is no serious listening by other fellow members if contents of statements are frivolous and superficial.
<p>2. Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:</p> <ul style="list-style-type: none"> - Should a procedure to introduce automatic consideration of sunseting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted? 	<ul style="list-style-type: none"> - Agree. For the past resolutions and decisions; Thailand urges the Secretariat to revise and propose what are a) sun-setting; b) less priorities, c) continue important priorities for EB decision as appropriate. Such sun-setting may need WHA endorsement. After such “cleansing” of backlogs for sun-setting, there is no need for such a body as EB to discuss. Important issues can be discussed as technical subject by the secretariat, no role of the EB. EB has an executive function, not technical function which belongs to secretariat’s mandates.

<p>- Should the Executive Board establish a technical or other subcommittee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?</p>	<p>-Disagree. We do not suggest to establish a technical or other subcommittee. WHO can convene technical consultation and propose their recommendations to EB. The EB agenda can be categorized as a) for information only; no deliberation by the Board, only written comments. B) for actions where decisions or resolutions are expected.</p>
<p>- Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</p>	<p>-Agree. Those issues for information may be informed through documents, if time not permitted for discussion.</p>
<p>- Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</p>	<p>Agree. Regional statements (for those can be agreed within the Region) will save time and improve the performance, but not all agendas can find common position within the Region.</p> <p>If a region wishes to make a statement on behalf of the whole region, it is welcomed to do so. For individual members of that respective region, they should make only a brief statement or submit their written statements to the Secretariat for the record/posting on the website, instead of delivering their statements subsequently.</p>
<p>-Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</p>	<p>- Disagree. Other MSs should be encouraged to express their views by themselves; however, we might consider provide different speaking time to members and non-members of the EB.</p>
<p>- Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</p>	<p>-The Assembly should be the forum for the small countries to express and participate. We should avoid all the burden of questionnaire which they won't be</p>

<p>- Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</p> <p>- Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</p> <p>- Should video tele-conferencing be available for meetings and consultations?</p>	<p>able to cope. However, reducing the number of the agendas and provide more time to discuss and learn from each member state of their experience might be able to remedy the long hours of statements. The format of the discussion can be further designed.</p> <p>-Disagree. The Secretariat should do their best to make the documents available in all official languages by the timeline given. If not, the agenda may be removed except on the urgent issue, as decided by the Bureau.</p> <p>-The WHA is the supreme body because of its universality. However, as executive branch, the Board should be able to take decisions for administrative matters and some technical matters that won't need WHA's approval or in line with the WHA's policy decision. It should avoid duplication for the consideration of items that no need of executive decision but in the purview of the WHA, such as technical frameworks, global action plans which already have broad consultation process.</p> <p>-Agree, but it should be used only for the urgent meetings or small group meetings such as Bureau meeting, considering the IT connection challenges in some countries. In case the role of regional representatives has increased, WHO might consider assisting for regional consultations.</p>
<p>3. Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</p> <p>Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued?</p>	<p>- Agree and with a specific timeline to allow other countries to prepare for any additional agendas.</p> <p>- First Option</p>
<p>4. Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing</p>	<p>- Agree</p>

<p>proposals for additional items to the agenda in cases of urgency?</p> <p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</p> <p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?</p>	<ul style="list-style-type: none"> -The criteria introduced in document EB141/15 Annex 1 and 2 should be considered - Item deemed urgent and agreed upon by the EB would be acceptable -Timeline—before the opening of the Session - Supporting statement explaining the rationale of the proposal and its urgency should be provided, the EB should be able to consider exempting such document if it deems unnecessary. <p>- Agree, but no later than three days before the opening of a regular session or one day before the opening of a special session.</p>
<p>5. Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? 	<ul style="list-style-type: none"> -Agree. However, MS should also be able to propose amendments to the ROP (or make comments to the Secretariat’s proposals). -At this stage, the Secretariat should focus on the ROP that is ambiguous as requested by EB 141 (8). For other ROP, it may not be necessary, unless controversial issues arise, given the rapid change of the context.
<p>6. Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</p> <p>If so:</p> <ul style="list-style-type: none"> - Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress 	<ul style="list-style-type: none"> - Agree <p>The possibility to a written statement should be available to all proceedings, however, it should be up</p>

<p>reports) or to when the presiding officer so decides?</p> <ul style="list-style-type: none"> - Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”? - Should such written statements be subject to limitations as to length? - Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)? - Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements? 	<p>to MS to provide a short oral statement with longer version in written, or only written statement. The degree of importance to read out the statement should be up to MS, however, the time limit can play an important role with this possibility of written statement.</p> <p>Thailand proposes two minutes intervention for EB and WHA, this will increase performance by 33%.</p> <ul style="list-style-type: none"> - Written statements should be recorded in the summary, provided that the length of the statement does not exceed the agreed word limit. - Written statement would limit to no more than 200 words (equivalent to around 2 minutes intervention) - Secretariat should introduce the guidelines for particular aspects the written statements, such as to be or not to be included in the Record, or statements mentioning other MS or organization might need to be flagged to allow the exercise of the right of reply as a courtesy. - Agree (see above)
<p>7. Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?</p>	<ul style="list-style-type: none"> - Agree (except the secret ballot)
<p>8. Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?</p> <p>Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?</p>	<ul style="list-style-type: none"> - Scanned credentials can be authoritative unless MS indicate otherwise. - Officers of the Health Assembly should be tasked to do it without the need for the credential committee.
<p>9. Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language?</p> <p>Should other WHO documents, other than the WHO Constitution and other treaty-level documents, also be amended to replace gender-specific language throughout with gender-neutral language?</p>	<p>Agree</p> <p>Agree (if the procedure of amendments won't be too complicated)</p>

<p>10. Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time-limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p>	<p>Agree for strict time limits, with exception in urgent situation based on the decision of the bureau or the General Committee.</p> <p>Agree</p>
<p>11. Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p>	<p>Agree, as currently practiced (It might be more practical to separate high-level segment and the rest so that we still have delegates after the Minister and HL leave the meeting.)</p> <p>No need to change</p>
<p>12. Should the provisions relating to verbatim and summary records to reflect more closely the current practice?</p>	<p>Agree</p>
<p>13. Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?</p>	<p>Agree</p>
<p>14. Should “open meetings” of the Executive Board be renamed as “private meetings”?</p>	<p>Agree</p>
<p>15. Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?</p>	<p>Agree</p>

Trinidad and Tobago

Please find below comments on the Consultation Document on Rules of Procedure from Trinidad and Tobago:

Trinidad and Tobago would like to thank WHO for allowing our country to comment on the Modalities and Methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly paper. We are committed towards improving efficiency and equity in the decision-making process of both the EB and WHA of WHO. As such, the comments below are submitted for consideration.

Question for Consultation	Comment
1	No comment.
2	<p>Sun-setting of draft resolutions should be introduced, as well as for existing resolutions and decisions.</p> <p>Regional Groups can coordinate their positions where all countries in the region are of the same health systems status.</p> <p>Channels should be provided for Member States to report on experiences outside governing body meetings - this would greatly reduce the speaking time of Member States and would allow for the WHA to keep on track.</p> <p>Yes, items should be removed from the agenda if the document is not available in all official languages, three weeks in advance. This would allow for efficient and effective presentation by Member States.</p> <p>Video teleconferencing should be available for meetings and consultations as some countries do not have the financial resources to be physically represented at all meetings.</p>
3	Yes, proposals for the inclusion of items should be accompanied by an explanatory memorandum.
4	Yes, there should be one rule governing proposals for additional items to the agenda in cases of emergency.

	<p>Should only be applied to cases of urgency and should be accompanied by supporting statement.</p> <p>Time period should be enforced.</p>
5	The Secretariat should carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system.
6	<p>Such a facility should be available to all proceedings.</p> <p>Should be placed on the website for information purposes only.</p> <p>Yes, there should be a length limitation.</p> <p>Yes, should be limited to particular matters.</p> <p>Yes, a mechanism should be put in place for reply in writing from other participants as this would allow for exchange of experiences and shared knowledge.</p>
7	Electronic voting should be allowed where appropriate systems are available.
8	<p>Yes, a hard copy original of credentials should be dispensed with, mainly because the process of acquiring country credentials is already rigorous and must be verified by Governments before it is submitted to the WHO. The scanned copy uploaded to the registration systems should suffice.</p> <p>The electronic officers of the Health Assembly should be tasked with carrying out this role.</p>
9	<p>Yes, the rules of procedure should be amended to replace gender-specific language throughout with gender-neutral language.</p> <p>Yes, all WHO documents should be amended to gender-neutral language.</p>

10	Yes, the time limits for submitting draft resolutions and decisions should be made stricter. Country responses are sometimes multi-sectoral and enough time is required to compile and collate a country response.
11	Yes Yes
12	Yes
13	Yes
14	Yes
15	Yes

United Kingdom of Great Britain and Northern Ireland

Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly

UK Response to WHO consultation

Summary

The UK welcomes this consultation and the proactive approach of the WHO Secretariat in raising these important issues at this still early stage in the new Director-General's tenure.

The UK is a strong supporter of WHO as the lead international agency for health. We share the Director-General's desire for a more effective WHO that achieves organisational excellence and embraces a culture of continuous improvement in order to ensure maximum impact on health outcomes for the funds it receives.

Governing body reform has been perhaps the most difficult aspect of WHO's overall reform programme. The "open-ended intergovernmental meeting on governance reform" was a significant disappointment, with lengthy Member States discussions resulting in precious little meaningful progress.

But governing body reform is critical. Any effective organisation must have effective governance.

In this response the UK provides the principles that guide our approach to governing body reform and responses on some of the specific question posed.

Our response is not exhaustive – on some questions we reserve our response pending further information.

The UK urges other Member States to embrace the opportunity presented by the WHO Secretariat and empower the Secretariat to make meaningful change for the benefit of the organisation and ultimately, the populations of Member States it seeks to serve.

UK principles

The UK believes that WHO governing body reforms should:

1. **Primarily strengthen effective, transparent decision-making.** Effective in this sense means evidence-based decisions that enable WHO to progress its programme of work to schedule, achieving the results expected. The reasoning for decisions should be transparently displayed, open to scrutiny and challenge.
2. **Allow sufficient Member State consultation and engagement.** WHO Member States ultimately decide and direct WHO's programme of work and it

is to the health priorities of Member States' populations that WHO must respond. But Member States should not micro-manage WHO. If WHO is to be an effective organisation it must be empowered to take the internal management and technical decisions any such organisation would expect.

3. **Enable focus and value-added discussion on the key health priorities of the day.** The list of global health challenges is long and understandably, the world looks to WHO for guidance. But if the governing bodies (and for that matter WHO) try to cover everything, on its limited budget, it will fail. Governing body discussions should be focussed on key current health priorities and they should add-value and provide direction – not simply be a forum for repetition.
4. **Embrace the modern, digital age to enable efficient and wide engagement.** Member States are rightly the decision-makers as to WHO's programme of work but there is huge value to be drawn on from the wider global health world and beyond. Governing bodies should be accessible and transparent, allowing wide input, scrutiny and challenge including from citizens themselves. Modern technology can enable this while ensuring it does not impede effective decision-making.
5. **Allow, where necessary, rapid decision-making, especially in emergencies.** WHO has the lead role in directing and coordinating the response to global health emergencies. Where Member State engagement is required, it must be nimble, flexible and not slow WHO action.

Specific consultation questions

The UK does not seek to provide an exhaustive response at this stage but, informed by the above principles, we provide some initial reflections.

Question	Comment
<p>Q2</p> <p>Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:</p> <p>Should a procedure to introduce automatic consideration of sun-setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?</p> <p>Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</p> <p>Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</p> <p>Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</p> <p>Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</p>	<p>The UK agrees that the sun-setting of resolutions should be implemented where appropriate.</p> <p>Items presented “for information only” should be deprioritised in favour of items requiring decisions by Member States</p> <p>Regional coordination should be <u>pursued to the extent possible</u>. But the UK is conscious of the further additional time burden this may place on Member States and conscious that some Member States with limited resources may therefore prefer to focus on the EB and WHA for example.</p> <p>For similar reasons, yes, channels should be provided for engagement outside governing bodies. But such engagement should be tightly focussed on top health priorities. Member States will not have the resources for multiple consultations that may also absorb much of the Secretariat’s time, distracting it for its core work – as approved by Member States.</p> <p>WHO should certainly make improvements on timely production of documents for governing bodies. This will be helped by restraint on behalf of Member States in proposing agenda items. But a mechanism for rapid addition of agenda items – for example, in an emergency situation – would be wise, but should be strictly enforced.</p>

<p>Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</p> <p>Should video tele-conferencing be available for meetings and consultations?</p>	<p>Yes, a clear division of labour should be identified between the EB and WHA. Each should keep to its own remit and terms of reference.</p> <p>Yes, video-teleconferencing should be available for meetings and consultations.</p> <p>The UK is not necessarily opposed to the creation of new technical groups but would take a sceptical view. Ultimately, we believe existing groups should better keep to their precise remit and terms of reference. UK would propose a rapid, bottom-up review of all WHO's technical and advisory bodies to determine their relevance and added-value, with a view to eliminate those deemed an unnecessary part of a modern WHO governance set-up.</p> <p>Ultimately, Member States should be more focussed and restricted on their interventions during governing body meetings. Member States should aim to intervene only where they can add value – not simply to repeat already expressed views.</p>
<p>Q3</p> <p>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, analogous to the procedure used to prepare the Board's provisional agenda?</p>	<p>Yes, agenda items should be accompanied by an explanatory memorandum. This should include an assessment of fit with the priorities in WHO's programme of work and, importantly, an assessment of the financial implications of any decisions and how this fits with the programme budget. Where the budget is not identified as available to take forward the agenda item, a clear recommendation should be made as to what part of WHO's existing programme of work should be stopped to free up the required budget.</p>
<p>Q5</p> <p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how</p>	<p>Yes, the Secretariat should propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper.</p>

<p>should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p> <ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? 	<p>We approve the Secretariat’s intent but would a “comprehensive review” of the Rules of Procedure be too time-consuming? We suggest “quick wins” should be identified and pursued first.</p>
<p>Q6</p> <p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</p>	<p>Written statements in addition to oral interventions could be useful – providing Member States refrain from repeating their written statements orally. We agree there should be strict limitations (length and subject matter). A key question: How much of the Secretariat’s time will be consumed by considering these written statements – will the added value justify this?</p>
<p>Q7</p> <p>Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?</p>	<p>Yes, electronic voting should be made available.</p>

United States of America

Modalities and methods of work of the Executive Board and Rules of Procedure of the Executive Board and World Health Assembly

Part A: Measures to support efforts to improve the efficiency of the Governing Bodies and its focus on strategic issues

#	<i>Question</i>	<i>USG Response</i>
1	<p>Member States are invited to contribute their views on the roles and methods of work of the Executive Board and its Officers, with a view to improving efficiency and equity in decision-making.</p> <ul style="list-style-type: none"> - In which ways do they consider the roles and methods of work of the Executive Board and its Officers should be improved? <p>- Member States are invited in addition to identify specific measures that might be considered.</p>	<p>We agree that there is value in pursuing this question and request that sufficient time be allocated to discussing options, approaches and impact of potential changes. The US would support a discussion of options for potentially expanding the role of the EB beyond its current agenda-setting function. Having them make recommendations about the strategy of the Board, could help move topics.</p> <p>The EB should be a working meeting with action expected. It needs a clear focus of giving WHO strategic direction but general discussion should be reserved for WHA.</p> <p>The majority of time should be spent debating the impact of policy, and why certain targets are reached. The Board should focus its time on items for which a global good perspective is needed, and not one stemming from politics.</p> <p>WHO should consider offering policy options to the Board and providing guiding questions for the debate (something it often offers in management reports but not technical ones.) The Board should discuss risks associated with different options, what minimizes risks from global perspective and how one decision affects equities, and what are mitigating measures that can be taken by countries and WHO. The Secretariat should seek to minimize political controversy.</p> <p>The Secretariat should screen agenda items so political issues do not reach the governing bodies. There should be agreement reached that items that are strictly political do not belong on the agenda. WHO and the Bureau should either remove agenda items or smooth out the issues and delink the politics from the technical health issues in advance, or send it back to Member States to rework the topics and language to de-politicize it.</p> <p>Not every agenda item needs a resolution and not every resolution needs a strategy or plan of action. The WHO Secretariat as the recipient of these plans and resolutions</p>

could consider developing a paper on this issue with guidance to the governing bodies. There could be criteria for whether an agenda item can or should have a plan of action/strategy or resolution or decision. And, there is opportunity to enhance the discussion and debate on the financial implications of all decisions/recommendations before a final decision is reached. WHO should inform Member States what has to be there to warrant a resolution or strategy, and what criteria should be there to make something an annual resolution.

Regarding the question about equity, we are unsure what WHO is referring to and would like further explanation of the question posed.

2

Should measures similar to those identified from practice in other organizations and WHO bodies be adopted as appropriate? Questions that Member States may wish to respond to in this regard may include:

The agenda should keep discussion at a higher-level for those issues for which a global perspective and agreement is needed, such as what was considered 20 years ago. While we may always have a long agenda, it should not hamstring the Secretariat with too many mandates. The Bureau should be tasked with determining what is considered high- vs. low-level items and what warrants an agenda item. The level or tier of an item could include its resource implications for WHO.

The hierarchy of items could also determine the length of time allowed for discussion for each. The tiers could be determined by:

The agenda may therefore benefit from having pre-determined categories such as:

- Acute health emergencies (whether a policy decision is needed or it's just an update)
- Global targets to achieve (what has been or needs to be set)
- Gaps in IHR capacities for global health challenges (with thematic areas given priorities)
- What WHO and its governing bodies is doing to encourage partnership/how FENSA is being rolled out
- Management and administrative issues.

The Chair should not be tasked with enforcing time limits. Instead it should be a Secretariat function so that the Chair can better focus on facilitating conversation. Shifting time management to the Secretariat would relieve the Chair from managing the time of his/her peers.

A - Should a procedure to introduce automatic consideration of sun- setting of draft resolutions be introduced? Should existing resolutions and decisions be reviewed with a view to deciding whether they can be sun-setted?

Unsure - on the first point (automatic sun-setting), will an end-date in each resolution cause countries to increase the number of resolutions as old ones expire? Perhaps this end date should only reference when WHO can stop reporting. On the second point, the actual conclusion of the mandate given by the resolution may need more consideration, based on the status of the health concern and what other related resolutions have been adopted since. Resolutions referencing technical guidelines that are out of date may need to be updated to reflect new evidence but some elements of a resolution can be retired without dispensing with all of a document. Member States should be able to amend resolutions so that the reporting end-date can be extended as needed, rather than requiring a new resolution to replace an expiring one.

WHO should conduct an analysis of existing resolutions and decisions to decide which are active or ready to be sunset.

B - Should the Executive Board establish a technical or other sub- committee, which would meet periodically and provide a forum for issues to be discussed and debated? Should that body be empowered to make decisions and/or to refer matters directly to the Assembly?

We would like more information on this proposal. We are concerned that establishing a technical or other sub-committee could be duplicative of existing forums and the selection of members could become political or entail a conflict of interest.

If done right it could free up space in governing bodies, but it would have to be very specific. WIPO has a committee structure to minimize what the Board is expected to consider and experts in the room limit the politicization. Given the breadth of topics covered by the governing bodies, it is not clear what areas the committees would have expertise on.

Additionally, basic technical questions should be resolved once an issue reaches the Board for consideration. This requires members to fully understand technical and programmatic conclusions.

Instead of establishing a sub-committee, the Secretariat may want to instead put forward information about where policy will be most challenging, risky, implementation steps, etc. and what support would be required to compensate. The Bureau could help define the questions that will move Members toward global consensus.

<p>C - Should the Executive Board agenda distinguish between items that require discussion and those where a decision is expected to be taken without discussion? Should it consider issues that are for information only?</p>	<p>Our response to this question depends on what types of “information only” items the Board handles. While the Board should reserve the bulk of its time for items that require discussion, we would like more clarification as to the benefit of including versus omitting information only topics.</p> <p>If something is truly “for information only,” what is the reason it couldn’t be communicated over email or disseminated through other means? Can there be a section of the agenda that allows for the sharing of information without discussion?</p>
<p>D - Should the Executive Board request that regional groups coordinate their positions to the extent possible and provide regional statements (rather than having several members of the same group take the floor)?</p>	<p>No. While we encourage aligned positions and would like countries to not repeat points made in regional statements, we do not want to forbid countries from taking the floor if a regional statement is delivered. These statements only reference areas of regional consensus. To capture the range of perspectives, countries would need to form different groupings or blocs outside of their regions.</p> <p>WHO should however inform Member States that if they take the floor following a regional statement, their interventions should not cover any of the information already conveyed.</p>
<p>E - Should only members of the Executive Board be permitted to take the floor, with the views of other Member States being expressed through the members that they elected?</p>	<p>No. This would not allow sufficient negotiation of items, which would add to the time needed at WHA.</p>
<p>F - Should channels be provided for Member States to report on their experiences outside governing body meetings, such as through questionnaires (so as to minimize country statements during the session)?</p>	<p>We support encouraging posting national statements online but are unsure if countries will respond to questionnaires or if this will be productive way to solicit responses.</p>
<p>G - Should agenda items be removed from the agenda if the relevant document is not available in all official languages, say, three weeks in advance of the session?</p>	<p>Yes, if the agenda item necessitates discussion. In which case, if there is insufficient time for Member States to prepare a position or response, then discussion should be postponed until the following governing body meeting.</p>

	<p>H - Should a clear division of labour be identified between the Health Assembly and the Executive Board? If so, how?</p> <p>I - Should video tele-conferencing be available for meetings and consultations?</p>	<p>The EB should play more of an advisory role to the Assembly and the Assembly should seek this from the Board. At the moment there does not seem to be a mechanism for the Board to provide guidance to the Assembly, such as what items should be approved, what need more time through a drafting group (without being taken up in committee). We need to revive advisory functions of the EB and perhaps there should be a product that comes out of the Board or some sort of deliverable.</p> <p>The Board should also be reserved for decisions. If there is not a decision needed, then countries do not need to discuss it in advance of the Assembly, where countries will undoubtedly take the floor to discuss each topic. If we're just taking note of a report, then the Board should just send it to Assembly without discussion.</p> <p>Would tele-conference reduce costs? What is the goal? Unless the required technology has been tested and will not add to the time or cost burden of the meetings, we are unsure we favor using it.</p>
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Part B: Interpretational ambiguities and gaps in the processes for the inclusion of additional, supplementary and urgent agenda items

#	Question	USG Response
3	<p>Should proposals for the inclusion of items on the provisional agenda of the Assembly be required to be accompanied by an explanatory memorandum, Which of the two options for the Executive Board's role in considering proposals for items to include in the provisional agenda of the Assembly, and outlined in document A70/51, should be pursued? [see page 9 of WHO PDF for options]</p>	<p>Yes, this requirement that was implemented for the last cycle was helpful for the Bureau in assessing the scope of new agenda proposes and should continue.</p> <p>We prefer the first option as the other allows for new agenda items to be proposed during and following the session. WHO's proposed change seems like a good approach too.</p>
4	<p>Should the distinction between "new activities to be undertaken by the Organization" (Rule 11 of the Rules of Procedure of the Health Assembly) and other "supplementary items" (Rule 12 of the Rules of Procedure of the Health Assembly) be removed, so as to have one rule governing proposals for additional items to the agenda</p>	<p>Yes, to minimize misinterpretation.</p>

	in cases of urgency?	
	<p>What criteria should apply to any such proposals? In particular, what timeline for submission should apply?; should items only be acceptable in case of urgency? and; should proposals be accompanied by a supporting statement explaining the rationale behind the proposal and its urgency?</p>	<p>The criteria should center on WHO's core activities and:</p> <ul style="list-style-type: none"> - Matters of growing urgency (eg. HIV or AMR); - Mobilization of resources at the global level; and - Significant global consensus needed on path forward. <p>The agenda should only allow for a certain number of items each session and there should be even more stringent criteria for admitting last minute items.</p> <p>The Bureau and Board should only allow for emergency or urgent issues, recent developments or crises that need debate, not chronic or systematic issues and proposals should be accompanied by a rationale.</p> <p>There should be a higher bar for admitting new agenda items and resolutions that are introduced at the Assembly. These should be items of urgency that could not have reasonably be brought up earlier.</p>
	<p>In the event that it is kept in substantially the current form, should the time periods in Rule 12 nonetheless be clarified, so as to make clear that requests for supplementary items must reach the Organization by no later than six days before the opening of a regular session, or two days before the opening of a special session?</p>	<p>Yes.</p>

Part C: Further ambiguities, gaps and other shortcomings in the Rules of Procedure of the governing bodies		
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5	<i>Question</i>	<i>USG Response</i>
	<p>Do Member States wish to further consider the additional ambiguities, gaps and other shortcomings in the rules of procedure identified by the Secretariat and, if so, how should the Secretariat further support Member States in their consideration of these issues (and/or other procedural issues which Member States may wish to address)? In particular:</p>	

	<ul style="list-style-type: none"> - Should the Secretariat propose language for amendments to the Rules of Procedure corresponding to the issues identified in this paper? - Should the Secretariat carry out a comprehensive revision of the Rules of Procedure to simplify the rules and to introduce revised numbering system? 	<p>Yes, in conjunction with the second question (should the legal team deem it necessary, the US would support a full revision of the rules of procedure.)</p>
		<p>See above.</p>
<p>6</p>	<p>Should the rules of procedure be amended to allow delegations to submit written statements in addition to or instead of oral interventions?</p> <p>If so:</p> <ul style="list-style-type: none"> - Should such a facility be automatically available for all proceedings, or limited to some agenda items (e.g. progress reports) or to when the presiding officer so decides? - Should these statements be recorded in the summary records or, as at present, placed on the WHO website “for information purposes only”? - Should such written statements be subject to limitations as to length? - Should such written statements be limited to particular matters (e.g. descriptions of national practice, uncontroversial matters)? 	<p>Yes, however, the US recommends that these statements not serve as a substitution for oral debate on agenda items. Instead, written statements could serve to highlight national best practices, innovative approaches and/or issues that advice or guidance from others would be beneficial.</p> <p>WHO will need to ensure these types of statements are easily accessible so they are seen and do not require oral presentation.</p> <p>Allowing written statement should give the Chair more authority to facilitate debate on statements covering issues that could be detailed in written submissions.</p> <hr/> <p>We are interested in a discussion on the merits of written statements instead of or in addition to a floor statement being available for all agenda items. But noting the US’s preference for oral statements as the preferred method for debate on issues.</p> <hr/> <p>Unless written statements can be meaningfully considered by the chair and Member States, we do not see how they could be considered part of the summary records because they do not constitute a formal part of the discussion.</p> <hr/> <p>This seems like a good suggestion and perhaps the written statements should be limited to the word count limit of the verbal statements delivered during plenary discussion.</p> <hr/> <p>Yes, they need to be issues specific to the agenda item and Member State situation and not be political. Written statements should not be considered as a substitute for discussion of issues that may be of interest to Member States. These statements should be about national best practices (see above). They should be reviewed by the Secretariat to ensure the statements comply with these rules. A particular</p>

		perspective on the controversy at hand should be delivered verbally during discussion.
	- Should a mechanism be put in place to allow other participants to exercise a right of reply in writing in respect of matters contained in such written statements?	No. It should not allow the right of reply and not necessitate a right of reply.
7	Should the Rules of Procedure be amended to allow for the possibility of electronic voting where appropriate systems are available?	<p>The possibility for electronic voting seems like a viable alternative that should be explored, however consensus-based decision is the norm and ongoing standard working practice of WHO and its governing bodies and that should not change.</p> <p>We support electronic voting in cases of elections, however it should never be the substitute for our consensus based approaches to reaching agreement.</p>
8	Should the requirement for a hard copy original of credentials be dispensed with? In particular should the process for consideration of credentials rely exclusively on the scanned copy of credentials uploaded onto the Secretariat online registration system?	Yes if that's more efficient.
	Should the task of examining credentials continue to be delegated to a Credentials Committee, or should the officers of the Health Assembly carry out this role?	It should continue to be delegated to the Credentials Committee.
9	Should the Rules of Procedure be amended to replace gender-specific language throughout with gender-neutral language? Should other WHO	Yes, we support this revision as long as changing the language to gender-neutral does not impede comprehension of the rules.

10	<p>Is the balance between flexibility and the need to provide sufficient time for delegations to consider proposals adequately reflected in Rules 28bis and 28ter of the Rules of Procedure of the Executive Board and rules 48 and 50 of the Rules of Procedure of the Health Assembly? Should the current time- limits for submitting draft resolutions and decisions be made stricter, so as to allow delegations more time to consult in advance on the proposed text?</p> <p>Should rule 48 of the Rules of Procedure of the Health Assembly be revised to allow for exceptions to be made without resort to formal suspension of the rule?</p>	<p>Yes, this is important for discussion but we would like more specifics. They should also be enforced.</p> <p>We may support this but would like more specifics about those details.</p>
11	<p>Should the number of Alternates in each Delegation be limited to three, to mirror the number of Delegates, while leaving the number of Advisers unrestricted?</p> <p>Should the rules be amended to clarify that only “delegates” and “alternates” may be designated to vote in plenary meetings of the Assembly, while any member of the delegation may be designated to vote in committee meetings?</p>	<p>What does this solve? We would like more information.</p> <p>Yes, clarification of the rules so that there is no difference in Member States’ interpretation is beneficial.</p>
12	Should the provisions relating to verbatim and summary records reflect more closely	Yes, rules pertaining to verbatim records should be revised to reflect current practice.
13	Should the rules of procedure include provision for a motion to suspend the debate on an item under discussion?	If there isn’t a rule related to this then yes, this is an important ability to allow for informal consultations or establishment of a drafting group and should be reflected in the rules.

14	Should "open meetings" of the Executive Board be renamed as "private meetings"?	Yes, it would minimize confusion.
15	Should the rules of procedure be revised to reflect the provisions and terminology of FENSA?	Yes.